

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

CALL TO ORDER

Mayor Moccia called the meeting to order at 8:00 p.m. He then led those present in reciting the Pledge of Allegiance.

Following that, Mayor Moccia requested that those present observe a moment of silence out of respect for Ms. Darlene Young, the Youth Summer Jobs Coordinator and former Assistant City Clerk in the loss of her sister.

I. ROLL CALL:

Ms. Wink called the roll. The following Council Members were present:

Council at Large:	Mr. Douglas Hempstead	Mr. Fred Bondi
Mr. Richard McQuaid	Ms. Joanne Romano	Mr. John Tobin
District A:	Mr. Richard Bonenfant	Mr. David Jaeger
District B:	Mr. Carvin Hilliard	Mr. Travis Simms
District C:	Mr. Nicholas Kydes	Ms. Laurel Lindstrom
District D:	Mr. Clyde Mount	Ms. Kelly Straniti
District E:	Mr. Andy Conroy	Ms. Nora King

All fifteen members were present.

Mayor Richard A Moccia
Ellen Wink, City Clerk

MAYOR'S REMARKS

Mayor Moccia announced that Attorney Maslan was enroute but delayed in traffic.

The Mayor said that he was pleased to announced that in a recent list of the 100 Top Cities, Norwalk had been named as #90.

The Mayor also congratulated the Norwalk Police Department on the recent arrest of the third suspect involved in the recent Fairfield County Bank robbery.

Mayor Moccia then informed everyone that Ms. Polacik retired from his office as of July 2nd and that she had served under three different mayors. He said that she will be missed and expressed his sincere thanks for all her hard work. He also wished her the very best in her future activities.

Ms. Sally Johnson has transferred into the Mayor's Office to fill the vacancy left by Ms. Polacik and this has gone smoothly.

II. ACCEPTANCE OF MINUTES

JUNE 22, 2010

Regular Meeting:

**** MR. BONDI MOVED THE MINUTES OF JUNE 22, 2010.**

**** THE MOTION TO APPROVE THE MINUTES OF JUNE 22, 2010 AS SUBMITTED PASSED UNANIMOUSLY.**

III. PUBLIC PARTICIPATION

Mr. Fred Wilms, of 50 Aiken Street came forward said that he was present as Chairman of the BET. He said that he would like to speak in favor of Ms. Biagiarelli. He then read the following comments from Mr. Michael Lyons, another BET member who could not be present.

"I will not be able to attend tonight's meeting of the Common Council but please let the Council know of my support for the reappointment of Lisa Biagiarelli as Norwalk's Tax Collector. I realize that the tax collectors are generally about as popular as dentists, and for much the same reason – they perform an essential service, but it hurts. It is the City's political leaders on the Council and the Board of Estimate and Taxation who are responsible for setting the city's budget and tax rates, and who deserve the credit (or the blame) for how high those rates may be. But once set, they need to be collected, and Ms. Biagiarelli and her staff have done the often thankless job of collecting the funds needed to run the City.

Absolutely no one enjoys paying taxes, but most of us what our schools to stay open, our roads to get plowed, our police controlling crime, our fire department protecting us from fire. If the tax collector isn't doing her job, those things don't happen. Lisa has improved the performance of her department and kept collection rates high in the middle of dire economic times, aided by the annual tax sales. And while some have questioned the tax sales, I think it bears noting that in the absence of such sales, property owners who don't pay their taxes effectively shift their tax burden on to those of us who do (which is fundamentally unfair), and only the worst offenders get on the tax sale list.

Lisa has been an effective manger of her department in difficult times and has been responsive to the Board of Estimate as we've worked to balance our budget in tough times. I urge the Council to approve her reappointment as Norwalk Tax Collector."

Mr. Wilms said that he felt Mr. Lyons' comments were well expressed and completely agreed with Mr. Lyon's statement. He then reiterated that he was in support of Ms. Biagiarelli 's reappointment and thanked the Council for their time.

Mr. Jim Clark, of 9 Golden Hill Street, came forward and said that he was a member of the BET and would like to speak in favor of Ms. Biagiarelli. Norwalk has the highest collection rate amount the six largest Connecticut cities. He added that Ms. Biagiarelli is also considered a leading authority on State tax regulations among the tax collectors. Mr. Clark then listed a number of professional organizations that Ms Biagiarelli participates in. She is thorough, patient and compassionate. He said that in his years on the BET, he felt that Norwalk was very fortunate to have Ms. Biagiarelli as a staff member.

Ms. Diane Lauricella came forward and said that she would like to focus on the Land Use, particularly the Zoning Commission. She then said that in the past she had spoken about the need for having more time for the Council members to review information on the various appointment candidates. She then said that she would propose a two week deadline before the appointment for the Council to review the candidates' resumes. She said that having candidate interviews might not work, and therefore she would suggest a survey about the general issues, such as the Master Plan or public participation in meetings. She said that she felt that the candidates presented tonight did have those qualities, such as patient, compassionate, their civility level, nonpartisan, not prone to retaliation, allowing the public to assist with research, or having secondary professional opinions. She added that training of the staff, the Council and the Commission members would be important.

IV. MAYOR Cont'd

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS: Emily Wilson, Conservation Commission
Jeannine L. Soper, Board of Assessment Appeals

The Mayor said that Ms. Wilson was resigning from the Conservation Commission to go onto another Commission.

Ms. Soper has served many years on the Board of Assessment Appeals and worked hard to provide Norwalk residents and the City of Norwalk with fair and just assessments when questions have been raised. He thanked Ms. Soper for all her hard work and wished her the best in the future.

APPOINTMENTS: Emily Wilson, Zoning Commission

**** MR. MCQUAID MOVED THE APPOINTMENT OF EMILY WILSON TO THE ZONING COMMISSION**

Mr. McQuaid said that Conservation's loss was Zoning's gain and that he felt that Ms. Wilson would do a good job on Zoning.

**** THE MOTION PASSED UNANIMOUSLY.**

David T. McCarthy, Zoning Commission

**** MR. CONROY MOVED THE APPOINTMENT OF DAVID T. MCCARTHY TO THE ZONING COMMISSION.**

Mr. Conroy said that he has known Mr. McCarthy for about a year and a half. He is straight forward and interested in serving the community. Mr. McCarthy lives in the 6th taxing District

**** THE MOTION PASSED UNANIMOUSLY.**

Jill A. Jacobson, Zoning Commission

**** MR. BONENFANT MOVED THE APPOINTMENT OF JILL A. JACOBSON TO THE ZONING COMMISSION**

Mr. Bonenfant said that he has been requesting that the Mayor appoint someone from District A to the Zoning Commission and the Mayor has requested Mr. Bonenfant to give him a suggestion. Mr. Bonenfant said that it was very important to him to have representation from all the districts.

Ms. Lindstrom said that it was very important to have the districts represented on the Planning and Zoning Commission and also have the correct number of party affiliations. Ms. Lindstrom said that while Ms. Jacobson was a registered Democrat, she was not known to the Democratic Party members. She stated that while she would vote for Ms. Jacobson, but that she wished that the appointment had been for someone who had been active in the Democratic Party.

Ms. King said that she would like to thank Ms. Lightfield for her service to Norwalk. Ms. King said that she did not know Ms. Jacobson.

**** THE MOTION PASSED UNANIMOUSLY.**

Anthony Aitoro, Planning Commission

**** MR. HEMPSTEAD MOVED THE APPOINTMENT OF ANTHONY AITORO TO THE PLANNING COMMISSION.**

Mr. Hempstead said that Mr. Aitoro is a member of the family business and that while he has been involved in the various charities, this is his first venture into community service.

Mr. Bondi said that Mr. Aitoro was very level headed and that Mr. Bondi felt that he would do a good job on the Commission.

**** THE MOTION PASSED UNANIMOUSLY.**

Peter Andreoli, Zoning Board of Appeals

**** MR. TOBIN MOVED THE APPOINTMENT OF PETER ANDREOLI TO THE ZONING BOARD OF APPEALS.**

Mr. Tobin said that Mr. Andreoli was well known and would do a good job on the Board.

**** THE MOTION PASSED UNANIMOUSLY.**

REAPPOINTMENTS:

Adam J. Blank, Zoning Commission

**** MR. TOBIN MOVED THE REAPPOINTMENT OF ADAM J. BLANK TO THE ZONING COMMISSION.**

Mr. Tobin said that he served with Mr. Blank for a number of years. Mr. Blank is courteous and Mr. Tobin felt that Mr. Blank would do a good job.

**** THE MOTION PASSED UNANIMOUSLY.**

Torgny Astrom, Planning Commission

**** MR. KYDES MOVED THE REAPPOINTMENT OF TORGNY ASTROM TO THE PLANNING COMMISSION.**

Mr. Kydes said that he believed that Mr. Astrom was currently the chairman and that he would do a good job. Mr. Hempstead said that he has shown leadership in the position.

**** THE MOTION PASSED UNANIMOUSLY.**

Martin Bernard, Fair Rent Commission

**** MR. HEMPSTEAD MOVED THE REAPPOINTMENT OF MARTIN BERNARD TO THE FAIR RENT COMMISSION.**

Mr. Hempstead said that Mr. Bernard was appointed by Mayor Zullo and has shown up for every meeting and will do a good job.

**** THE MOTION PASSED UNANIMOUSLY.**

Patricia Genuario, Fair Rent Commission

**** MS. ROMANO MOVED THE REAPPOINTMENT OF PATRICIA GENUARIO TO THE FAIR RENT COMMISSION**

She said that Ms. Genuario has served on numerous commissions and is a very hard worker. Ms. Romano said that she felt that Ms. Genuario would do a good job.

**** THE MOTION PASSED UNANIMOUSLY.**

Maria Borges Lopez, Fair Rent Commission

**** MS. STRANITI MOVED THE REAPPOINTMENT OF MARIA BORGES LOPEZ TO THE FAIR RENT COMMISSION .**

She said that she had known Ms. Borges Lopez for many years and that she was very active in the Hispanic community.

**** THE MOTION PASSED UNANIMOUSLY.**

Fran Collier Clemmons, Fair Rent Commission

**** MR. HILLIARD MOVED THE REAPPOINTMENT OF FRAN COLLIER CLEMMONS TO THE FAIR RENT COMMISSION**

Mr. Hilliard said that he felt that Ms. Collier Clemmons was well rounded, and well qualified for the job. She will continue to do a good job on the Fair Rent Commission. The Mayor agreed.

**** THE MOTION PASSED UNANIMOUSLY.**

Ralph A. DePanfilis, Oak Hills Authority

**** MR. HEMPSTEAD MOVED THE REAPPOINTMENT OF RALPH A. DEPANFILIS, OAK HILLS AUTHORITY**

Mr. Hempstead said that Mr. DePanifilis has been very involved in the City of Norwalk and has a passion for golf.

Mr. Kydes said that he was very happy with this appointment. He said he could not say enough good things about Ralph.

Mr. Conroy said that Mr. DePanifilis was a nearby neighbor in the Sixth District and very involved in the community.

****THE MOTION PASSED UNANIMOUSLY.**

Martha A. Lemmon, Oak Hills Authority

**** MR. BONDI MOVED THE REAPPOINTMENT OF MARTHA A. LEMMON TO THE OAK HILLS AUTHORITY.**

Mr. Bondi said that Ms. Lemmon has added a great deal to the Oak Hills Committee since she was appointed four years ago. He said it was a pleasure to reappoint her.

The Mayor said that Ms. Lemmon also has saved the City thousands of dollars due to her expertise.

Ms. Lindstrom said that Ms. Lemmon has an environmental background and has served well. There was some questions about other appointees attendance, but Ms. Lemmon has been in regular attendance.

Ms. Lindstrom said that she had looked at the City website and that the only item that was there for Oak Hills was an agenda from December and one set of minutes. This will be corrected.

**** THE MOTION PASSED UNANIMOUSLY.**

Robert J. Virgulak, Oak Hills Authority

**** MS. STRANITI MOVED THE REAPPOINTMENT OF ROBERT J. VIRGULAK TO THE OAK HILLS AUTHORITY.**

Ms. Straniti said that she was pleased to present Mr. Virgulak as someone she has known for some time. Mr. Jaeger said that he met Mr. Virgulak last night and Mr. Virgulak seemed to have a good grasp on many issues.

Mr. McQuaid said that when he started on the Council, Mr. Virgulak provided assistance.

Mr. Kydes said that he has known Mr. Virgulak for many years and wished Mr. Virgulak the best.

**** THE MOTION PASSED UNANIMOUSLY.**

Mayor Moccia then thanked Ms. Lightfield for her years of service on the Zoning Commission.

David H. Tracy, Tree Advisory

**** MS. LINDSTROM MOVED THE REAPPOINTMENT OF DAVID H. TRACY TO THE TREE ADVISORY**

Ms. Lindstrom said that Mr. Tracy was a wonderful member of the Tree Advisory Commission and very innovative with technical issues. She said that he was also the president of the Norwalk Tree Alliance.

**** THE MOTION PASSED UNANIMOUSLY.**

Lisa Biagiarelli, Tax Collector

**** MS. ROMANO MOVED THE REAPPOINTMENT OF LISA BIAGIARELLI AS TAX COLLECTOR.**

Ms. Romano said that she has spoken to a number of people and that Ms. Biagiarelli had done an amazing job in bringing in the revenue.

Ms. King said that she had seen first hand the foundation that Ms. Biagiarelli gave Stratford and she was doing an excellent job in Norwalk.

Mr. Conroy said that some time ago, there had been concerns about having the right person as Tax Collector, and the City of Norwalk was fortunate to have Ms. Biagiarelli.

Mr. Hilliard said that Ms. Biagiarelli was extremely professional and very good at what she does. He then wished her luck in the future.

Mr. Bondi said that he would like to agree with this appoint and that Ms. Biagiarelli is very professional and puts a lot of time in to her job. This is why Norwalk has the highest rate of collection in the top six towns.

Mr. Kydes said that as the chairman of the Finance Committee, he was proud to have her as the Tax Collection. Ms Biagiarelli looks at things very objectively and this has allowed the city to reach the 96.8% tax collection rate that it has. Ms. Biagiarelli sticks to the regulations and follows protocol.

Mr. McQuaid said that he had a letter from former Council Member Matt Miklave who had been on the Council for six years. Mr. McQuaid then read the letter aloud. It stated that Ms. Biagiarelli had never played favorites and always been straight forward. Mr. McQuaid said that he would agree.

Mr. Hempstead said that one hears all the compliment coming across the table, it speaks volumes about the individual. Ms Biagiarelli then held a lien sale and recouped millions of dollars for the City.

Mr. Maslan said that he had a number of contracts with Ms. Biagiarelli over the tax sale and that she is one of the most prepared staff workers. Every case that has gone to court has been well prepared.

**** THE MOTION PASSED UNANIMOUSLY.**

MAYOR'S REMARKS:

The Mayor presented his remarks earlier in the meeting.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS

Mr. Hempstead said that unlike Stamford, Norwalk had fireworks this year and that his hat was off to the department heads, and particularly to Mike Moccia.

Mr. Hempstead said that he would also like to congratulate Mr. Wilms, Mr. Hamilton, and other members of the BET. The City came in with a balance budget and that this was a wonderful job.

And in conclusion, Mr. Hempstead said that he would like to salute those who had chosen for one reason or another not to continue on the various commissions and committee. He said that the City deeply appreciated their dedication and willingness to serve.

B. CONSENT CALENDAR:

**** MR. HEMPSTEAD MOVED THE FOLLOWING ITEMS AS THE CONSENT CALENDAR:**

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

VII. COMMON COUNCIL COMMITTEES

A. FINANCE COMMITTEE

1. RESOLUTION, APPROPRIATING \$100,000 FOR A SPECIAL CAPITAL APPROPRIATION FOR THE ROOSEVELT CENTER - HVAC & WINDOW REPLACEMENT PROJECT (PROJECT NO. 09107100-5777-CO147).

2. ACCEPT AND APPROVE THE REPORT OF THE CLAIMS COMMITTEE DATED JULY 8, 2010.

3. FOR INFORMATIONAL PURPOSES ONLY: NARRATIVE ON TAX COLLECTIONS DATED JULY 8, 2010.

4. FOR INFORMATIONAL PURPOSES ONLY: MONTHLY TAX COLLECTOR'S REPORT DATED: JUNE 30, 2010.

5A. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE GENERAL LIABILITY INSURANCE PLACEMENTS FOR THE FY2010-11 FISCAL YEAR WITH CONNECTICUT INTERLOCAL RISK MANAGEMENT AGENCY (CIRMA) FOR AN AMOUNT NOT TO EXCEED \$324,999. ACCOUNT #168510-5418.

5B. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE PROPERTY INSURANCE PLACEMENT FOR THE FY2010-11 FISCAL YEAR WITH THE HD SEGUR INSURANCE AGENCY IN AN AMOUNT NOT TO EXCEED \$235,149.00. ACCOUNT #168510-5418.

5C. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA TO EXECUTE TENANT'S/USERS LIABILITY INSURANCE PLACEMENT FOR THE FY2010-11 FISCAL YEAR WITH THE SHOFF DARBY AGENCY IN THE DEPOSIT OF \$1,500.00 ACCOUNT NO. 168510-5418.

B. PUBLIC WORKS COMMITTEE

1. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE THE SUPPLEMENTAL AGREEMENT WITH THE CONNECTICUT DEPARTMENT OF TRANSPORTATION FOR FEDERAL LOCAL BRIDGE PROGRAM, STATE PROJECT NO. 102-315, REHABILITATION OF THE WESTMERE AVENUE BRIDGE.

2A. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH DEERING CONSTRUCTION, INC. FOR PROJECT NO. PM 2010-1, PROPOSED PAVEMENT MANAGEMENT PROGRAM, FOR A SUM NOT TO EXCEED \$2,000,000.00.

2B. AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO EXECUTE ORDERS ON CONTRACT TO DEERING CONSTRUCTION, INC. FOR PROJECT NO. PM 2010-1, PROPOSED PAVEMENT MANAGEMENT PROGRAM, FOR A SUM NOT TO EXCEED \$200,000.00. ACCOUNT NO. 0911 4021 5777 0021

APPROVED UNDER SUSPENSION OF THE RULES:

3. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE ANY AND ALL DOCUMENTS REQUIRED TO EXECUTE THE PERSONAL SERVICES AGREEMENT BETWEEN THE CITY OF NORWALK AND THE STATE CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR 2009 NORWALK GENERAL URBAN FORESTRY PROJECT GRANT (CALF PASTURE BEACH ROAD AND HIGHLAND AVENUE).

**GRANT AMOUNT OF \$8,000; 50% MATCHING GRANT
ACCOUNT NO. 0908 4021 5777 C0233
ACCOUNT NO. 0909 4021 5777 C0233**

C. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN ONE-YEAR AGREEMENT WITH THE CHILD GUIDANCE CENTER OF MID FAIRFIELD TO LEASE TWO OFFICES IN THE HEALTH DEPARTMENT BUILDING FOR \$4,260.00 PER YEAR COMMENCING UPON LEASE SIGNING, WITH THREE 1-YEAR RENEWAL OPTIONS BASE ON 2% INCREASE PER YEAR.

2A. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AGREEMENT WITH DAVID SCOTT PARKER ARCHITECTS TO PROVIDE ARCHITECTURAL DESIGN SERVICES FOR BUILDING INFRASTRUCTURE IMPROVEMENTS TO THE LOCKWOOD MATHEWS MANSION MUSEUM (LMMM) FOR A TOTAL NOT TO EXCEED \$299,875.00.

FUNDING: CITY CAPITAL FOR LMMM ELEVATOR - \$7,500 (EQUAL 10% OF ALLOCATION) CITY CAPITAL FOR LMMM SPRINKLER- \$25,000 (EQUAL 10% OF ALLOCATION)

BALANCE AVAILABLE FROM STATE OF CT, DEPT. OF ECONOMIC & COMMUNITY DEVELOPMENT GRANT IN THE AMOUNT OF \$500,000.

C. LAND USE AND BUILDING MANAGEMENT COMMITTEE CONT.

B. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE CITY TO ACCESS/TRANSFER STATE OF CT, DEPARTMENT OF ECONOMIC & COMMUNITY DEVELOPMENT GRANT FUNDS AWARDED TO THE LMMM, FOR A TOTAL AMOUNT NECESSARY TO FULFILL CONTRACT FUNDING REQUIREMENTS.

3. A. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AGREEMENT WITH PACHECO ROSS ARCHITECTS, P.C. TO PROVIDE ARCHITECTURAL DESIGN SERVICES FOR THE PROPOSED NORWALK FIRE HEADQUARTERS PROJECT FOR A TOTAL NOT TO EXCEED \$724,250.00. ACCT. # 09113110-5777-C0466

B. AUTHORIZE NFCC TO APPROVE CONTINGENCY EXPENDITURES AND/OR ADDITIONAL SERVICES FOR A TOTAL NOT TO EXCEED \$47,000.

4. AUTHORIZE THE NFCC TO ISSUE CHANGE ORDERS ON CONTRACT WITH MERRITT CONTRACTORS, INC. FOR THE ROOSEVELT CENTER HVAC AND WINDOW REPLACEMENT PROJECT FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$100,000.00. THESE FUNDS WILL BE SET ASIDE FOR CONSTRUCTION CONTINGENCIES AND BALANCE TO BE USED FOR ENERGY CONSERVATION MEASURES INCLUDING THE REPLACEMENT OF EXISTING SINGLE PANE WINDOWS AND THE ELIMINATION OF WINDOW AIR CONDITIONING UNITS. FUNDS TO BE AVAILABLE FROM SPECIAL CAPITAL APPROPRIATION.

D. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE

1. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE A CONTRACT WITH RESOURCE MANAGEMENT ASSOCIATES FOR PROMOTIONAL TESTING SERVICES FOR THE NORWALK POLICE DEPARTMENT FOR A TOTAL NOT TO EXCEED \$16,970.00. ACCOUNT NO. 013040-5258.

**** THE MOTION TO APPROVE THE ITEMS LISTED ABOVE AS THE CONSENT CALENDAR PASSED UNANIMOUSLY.**

VIII. RESOLUTIONS FROM COMMON COUNCIL

There were no resolutions from the Common Council at this time.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were no motions postponed to a specific date at this time.

X. SUSPENSION OF RULES

There were no suspension of the rules at this time.

XI. ADJOURNMENT .

The meeting adjourned at 8:56 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services