

**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 8:15 p.m. and led the assembly in the Pledge of Allegiance.

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 Jaegar
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. Andrew Conroy	Ms. Nora King

Mayor Richard A. Moccia  
Attorney Robert Maslan, Corporation Counsel  
Ellen Wink, City Clerk  
Fifteen members were present.

Mayor Moccia requested the record show that the start of the meeting was delayed do to a recess following the special public comment session held prior to the meeting. He added that the record should note that the following members were not present at the time of the roll call, but returned at 8:23 p.m.: Ms. Straniti, Ms. Romano, and Mr. Tobin.

II. ACCEPTANCE OF MINUTES

Regular meeting – August 10, 2010

- \*\* MR. BONDI MOTIONED TO APPROVE THE MINUTES FROM THE AUGUST 10, 2010 MEETING AS SUBMITTED.**  
**\*\* THE MOTION PASSED UNANIMOUSLY, WITH ONE ABSTENTION (LINDSTROM).** (Tobin, Romano, and Straniti were not present for the vote.)

III. PUBLIC PARTICIPATION

City Clerk Wink announced the rules for public participation and asked all those who signed up to speak to limit comments to a length of three minutes.

*The following comments are not verbatim and represent a summary of statements made.*

Ms. Tammy Langalis, 1188 Indian Spring Road, Rowayton, stated that she represented the Sixth Taxing District and was here to state their position on the removal of the Tokeneke Bridge. She stated that we need a plan for removal and a plan for a footbridge replacement, and stated that the Commissioners can only support the project if there is an approved plan.

Mayor Moccia stated that there is a plan available with the DPW, and Ms. King interjected that despite many requests, they have never been able to obtain plans, drawings or renderings of any type. Mayor Moccia clarified that the plans are for the demolition of the existing bridge, which must be done before plans for any replacement structure plans can be developed.

City Clerk Wink stated that there were no other names on the public participation sign-up sheet, and asked if there was anyone else in attendance that planned to speak and hearing none stated that public participation of the meeting would be closed.

#### IV. MAYOR

##### A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS: None

APPOINTMENTS: William Dunne, Fair Rent Commission (Alternate)  
Marybeth Sullivan, Conservation Commission (Alternate)  
Wendy Logan, Human Relations

**\*\* MR. HEMPSTEAD MOTIONED TO APPROVE THE APPOINTMENT OF WILLIAM DUNNE TO THE FAIR RENT COMMISSION AS AN ALTERNATE WITH A TERM TO EXPIRE 07/01/12.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**\*\* MR. CONROY MOTIONED TO APPROVE THE APPOINTMENT OF MARYBETH SULLIVAN TO THE CONSERVATION COMMISSION AS AN ALTERNATE WITH A TERM TO EXPIRE 01/01/13.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**\*\* MR. HEMPSTEAD MOTIONED TO APPROVE THE APPOINTMENT OF WENDY LOGAN TO THE HUMAN RELATIONS COMMISSION WITH A TERM TO EXPIRE 09/01/13.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**REAPPOINTMENTS:** Rahoul Dupervil, Human Relations  
Julius Gamble, Human Relations  
Andrew Mattiello, Human Relations  
Karen Tobin, Human Relations

- \*\* MS. ROMANO MOTIONED TO APPROVE THE REAPPOINTMENT OF RAHOUL DUPERVIL TO THE HUMAN RELATIONS COMMISSION WITH A TERM TO EXPIRE 09/01/13.
- \*\* THE MOTION PASSED UNANIMOUSLY.
- \*\* MR. HILLIARD MOTIONED TO APPROVE THE REAPPOINTMENT OF JULIUS GAMBLE TO THE HUMAN RELATIONS COMMISSION WITH A TERM TO EXPIRE 09/01/13.
- \*\* THE MOTION PASSED UNANIMOUSLY.
- \*\* MR. BONENFANT MOTIONED TO APPROVE THE REAPPOINTMENT OF ANDREW MATTIELLO TO THE HUMAN RELATIONS COMMISSION WITH A TERM TO EXPIRE 09/01/13.
- \*\* THE MOTION PASSED UNANIMOUSLY.
- \*\* MR. KYDES MOTIONED TO APPROVE THE REAPPOINTMENT OF KAREN TOBIN TO THE HUMAN RELATIONS COMMISSION WITH A TERM TO EXPIRE 09/01/13.
- \*\* THE MOTION PASSED UNANIMOUSLY WITH ONE ABSTENTION (TOBIN).

**MAYOR'S REMARKS:**

Mayor Moccia thanked the members of the Seaport Association for a successful Oyster Festival and stated that the event was a huge success, despite some newspaper headlines. He stated that the City's 911 Ceremony was a very moving and well-attended event, and he thanked the many elected officials that were in attendance.

Mayor Moccia stated that there was an addendum in the meeting packet to inform the Council members of the 2010 JAG grant review, which is authorized by the Police Commission to accept for funding. He added that no action is required, just review according to the grant requirements, and that any questions can be directed to Police Chief Rilling or the Police Commission.

\*Note: At the end of the meeting, Mayor Moccia made a statement as an addition to his remarks to announce that the city was awarded a \$2,000 check from the National Council of Mayors for the City's Youth Program. He stated that this represented quite an achievement to be ranked in the top 5 in the country for youth programs, and he acknowledged Darlene Young for her hard work with the program development and management.

**V. COUNCIL PRESIDENT**

Mr. Hempstead stated that this year's successful Oyster Festival represented a rejuvenated event and he applauds the Seaport Association for the creation of family night \$5 admission charge, and felt it was one of the most well attended festivals of recent years. He added that it was great to see so many volunteers and city officials involved with the festival.

Mr. Hempstead thanked the City Clerk and Assistant City Clerk for the public comment open house session that was held this evening, and that Ms. Wink will be working on addressing the comments that were made. He thanked those involved with the City's 911 Ceremony and stated that it was a very moving event, and he reminded all that we should always remember and never forget the day of September 11, 2001. He thanked the many elected officials that participated or were in attendance.

**A. GENERAL COUNCIL BUSINESS**

Mr. Hempstead stated that there was an additional item to be added to the agenda to review the JAG Grant, and that no action was required, only review in accordance with the Bureau of Justice Assistance grant requirements. He requested a motion to suspend the rules.

**\*\* MS. ROMANO MOTIONED TO SUSPEND THE RULES TO ADD THE 2010 JAG GRANT REVIEW DOCUMENT FOR REVIEW WITH NO ACTION.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**B. CONSENT CALENDAR:**

**\*\* MR. HEMPSTEAD MOTIONED THE FOLLOWING ITEMS FOR THE CONSENT CALENDAR:**

**VIA.1, VII. A. 2, VII. A. 1, VII. B. 1, VII. C.1a, VII.C.1b, VII.D.1, VII.D.3, VII.D.4, VII.D.5, VII.D.6, VII.D.7, VII.D.8, VII.D.10a, VII.D.10b, VII.D.11**

**\*\* THE MOTION WAS APPROVED UNANIMOUSLY.**

*Consent Calendar items are in bold type as follows:*

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

**A. CORPORATION COUNSEL**

- 1. Authorization to Settle Claim: Mitchell v. City of Norwalk**
- 2. Authorization to Settle Claim: Deherrera v. City of Norwalk**

**VII. COMMON COUNCIL COMMITTEES**

**A. PLANNING COMMITTEE**

- 1. Authorize the Mayor to execute the required Certificates of Consistency with the City's Consolidated Plan on behalf of the Greater Norwalk Continuum of Care's associated response to the U.S. Department of Housing and Urban Development SuperNOFA.**

**B. PERSONNEL COMMITTEE**

- 1. Murphy and Bauer – Authorization to Settle**

**C. LAND USE AND BUILDING MANAGEMENT COMMITTEE**

- 1a. **Authorize the Mayor, Richard A. Moccia, to execute a Contract with Pro Gas, LLC to replace one steam boiler and four heat pumps at the Belden Avenue Library for a total not to exceed \$88,400.00. Acct. #0905/09/10 6210-5777-C0328, #09106210-5777-C0381 and #09086210-5777-C0401.**
- 1b. **Authorize the Library Director to issue Change Orders on Contract for a total not to exceed \$8,840.00.**

**D. PUBLIC WORKS COMMITTEE**

1. **Authorize the Mayor, Richard A. Moccia to execute an amendment to the Agreement with Vanasse Hangen Brustlin, Inc. for State Project 102-326 Traffic Signal Upgrade – Phase 1 for a sum not to exceed \$30,822.00.  
Account No. 09074120-5777-C0410.**
3. **Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Scale Service & Supply Co., Inc. for replacement of the lower scale at the Norwalk Transfer Station for a sum not to exceed \$72,709.00.  
Account No. 03 0000 2612**
4. **Authorize the Purchasing Agent to issue a Purchase Order to Inter-State Ford Truck Sales, Inc. for the purchase of two (2) 2011 Ford F750 trucks for a sum not to exceed \$223,286.00  
Account No. 09 10/11 4031 5777 C0313**
5. **Authorize the Purchasing Agent to issue a Purchase Order to Gabrielli Truck Sales, LTD for the purchase of two (2) 2011 Mack GU712 plow trucks for a sum not to exceed \$371,482.00.  
Account No. 09 10/11 4031 5777 C0313**
6. **Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Almstead Tree and Shrub Care, LLC for Tree Removal/Trimming Services for a sum not to exceed \$120,000.00 per year.  
Account No. 0140 29 5298  
0160 31 5298  
0910 6030 5777 C0365**
7. **Authorize the Mayor, Richard A. Moccia, to execute drainage easements to allow the installation of a drainage system on City owned property adjacent to the former Fitch School property; such easements to be in favor of the property developer, Maplewood at Strawberry Hill, LLC.**

8. **Authorize the Mayor, Richard A. Moccia, to execute any documents necessary in order to quit claim a former access easement in favor of the City of Norwalk, in exchange for a replacement easement providing access from City owned property across the former Fitch School property on Strawberry Hill Avenue.**
  
- 10a. **Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Deering Construction, Inc. for Project No. DPW 2010-2, Maintenance Repairs to the Norwalk LPP, for a sum not to exceed \$169,500.00.**
  
- 10b. **Authorize the Director of Public Works to issue Orders on Contract to Deering Construction, Inc. for Project No. DPW 2010-2, Maintenance Repairs to the Norwalk LPP, for a sum not to exceed \$16,950.00.  
Account No. 0909 4027 5777 C0440**
  
11. **Authorize the Mayor, Richard A. Moccia, to execute an Agreement with the State of Connecticut Department of Transportation for State Project 102-341, Federal Aid Project No. 1102(101) for Ponus Avenue/Seaview Avenue Improvements and approve the provisions of the required twenty percent (20%) match (\$122,300) and Demand Deposit (\$13,000 – included in the match).  
Account No. 0911 4021 5777 C0021 (\$122,300)**

D. PUBLIC WORKS COMMITTEE

1. Authorize the Mayor, Richard A. Moccia to execute an agreement with Vanasse Hangen Brustlin, Inc. for State Project 102-336, Federal Project No. 1102 (108) Norwalk Traffic Management Study for a sum not to exceed \$500,000.00.  
  
Account No. 0904 4021 5777 C0317 (\$100,000)  
State/Federal Grant/Acct TBD (\$400,000)

Mr. Conroy moved the item and referred to the Attachment "A" document included in the packet stating that it was very detailed and represented a comprehensive study by an engineering, urban design and transportation planning firm to develop the traffic management plan.

Ms. King stated that although the city has allocated \$100,000 in capital budget dollars to develop the plan, and the state is providing the remaining \$400,000 could not this money be better used to solve traffic problems that they already know about and not just put such a large of amount of money and time to do another study that holds up the completion of projects.

Mr. Hempstead stated that the plan, to be developed over a 12-month period, would provide the city "a clear and concise blueprint for advancing operational and capital expenditures to be used by city staff, residents, elected officials, and others who seek to address transportation-related issues within the city," according to the scope of work.

Mr. Conroy replied that the study specifically deals with traffic management, and you end up with a toolbox of solutions to traffic management problems, there will be traffic counts, and they'll look at some of the problem areas. He added that we've always had issues with what I would call our main arteries, and we have issues with the secondary arteries, because they tend to run through residential neighborhoods."

Ms. Straniti stated that although at first she was skeptical of the need for such a study, she realized that it is a comprehensive plan for the city of Norwalk, which is something we definitely need in-stead of looking at things piecemeal

Mr. Alvord replied that the purpose of the study is to develop a comprehensive plan to improve traffic flow, safety, and operations within the city of Norwalk for all modes of travel.

Ms. Lindstrom stated that she would be supporting the study and explained that one of the key elements of the project, is that the study would involve the compilation of previously undertaken traffic management studies; research national and international transportation management practices; gathering traffic counts at selected locations throughout the city; developing options and recommendations to address traffic congestion on various corridors within the city. She added that this will take time due to the complexity of situations and will ultimately produce a "toolbox" of traffic management measures for improving streets; and develop conceptual plans for the City.

Mr. Alvord added that, as part of the project, the study would collect previously undertaken traffic management studies; research national and international transportation management practices; gather traffic counts at selected locations throughout the city; develop options and recommendations to address traffic congestion on various corridors within the city; produce a toolbox of traffic management measures for improving streets; and develop conceptual plans for two representative streets and identify five additional streets for similar conceptual plans.

Mr. Hempstead stated that we want to be able to focus or redirect traffic, we need to identify what corridors are going to be our major traffic corridors and then what changes we need to make to encourage traffic to use those, and, that will pull some traffic off residential neighborhoods. He added that some streets are already structured in a manner to better handle higher volumes of traffic, so we want to try to channel (motorists) that way."

Ms. King asked if the \$400,000 can be used for a specific project rather than a study that will probably sit on a shelf and not be used or implemented. Mr. Alvord replied that the grant money was secured through South Western Regional Planning Agency, and that can be used only for the purpose for which it was applied for..

Mr. Alvord stated that the project will look at all modes of travel -- not just vehicular, and the completed plan will provide the city a traffic-calming toolbox. He added that there are so many tools that can be used, and there are things like changing the timing of intersections, or

it may turn out that a roundabout may work out better and that they have to decide what's right for each location and not rule anything out, that there's narrowing of streets, striping, medians, and potentiality one-way street patterns, but you'd have to look at each location and decide what can be done."

Mr. Conroy added that a Citywide Comprehensive Traffic Management Plan to alleviate congestion, toward which the federal government has committed \$400,000, and the city has allocated \$100,000, acknowledged those concerns but backed the effort.

Ms. Straniti stated that although at first she was skeptical of the need for such a study, she realized that it is a comprehensive plan for the city of Norwalk, which is something we definitely need in-stead of looking at things piecemeal, especially in view of things like the enterprise zone and the many projects in development that affect traffic patterns.

Ms. King stated that it's going to take 12 months to do it, and it's going to cost half a million dollars, and although the federal government will pay \$400,000 but added "it all comes out of my income tax." She added that her question was three fold that basically why do the study when we already know what we need and asked if the Department of Public Works could not perform the work in-house. Mr. Alvord replied that they have one traffic engineer, and the time involved is necessary to the extensive research that is needed to do such a comprehensive study.

Mr. Mount stated that based on his experience with zoning and public works maintenance issues, that it will take 12 months due the seasonality factor with the northeast, and he will support the study as it is very much needed to address the multitude of factors involved. Ms. Romano stated that she echoes Mr. Mount's comments that many seasonal factors come in to play that create a time line of requirements to complete the research, for example beach traffic and the absence of school buses in the summer. Mr. Alvord stated that the completed plan will become the thing we can pull off the shelf when we pursue grant opportunities for bridges, or roads, or anything else.

Mr. Jaeger stated that he felt that many of the city's traffic congestion problems stem from motorists leaving major corridors and cutting through residential neighborhoods, and that \$500,000 was not necessary to determine that. He added that he would rather have that level of expenditure put toward a specific traffic program rather than a study.

Mr. Tobin asked what the goals were, and if this was to provide ammunition to dispute the affect of adverse conditions. Mr. Conroy responded yes, to a certain extent that the benefits were determining what types of impact and zoning regulations were needed for such modifications.

Mayor Moccia replied that grant money must be used for that which the application was made for and that these are strict guidelines for grant monitoring requirements and that this \$500,000 might enable us to get millions of dollars more.

**\*\* MR. CONROY MOTIONED TO AUTHORIZE THE MAYOR, RICHARD A. MOCCIA TO EXECUTE AN AGREEMENT WITH VANASSE HANGEN BRUSTLIN, INC. FOR STATE PROJECT 102-336, FEDERAL PROJECT NO. 1102 (108) NORWALK TRAFFIC MANAGEMENT STUDY FOR A SUM NOT TO EXCEED \$500,000.00.**

**Account No. 0904 4021 5777 C0317 (\$100,000)**

**State/Federal Grant/Acct TBD (\$400,000)**

Mayor Moccia called for a roll call vote

**\*\* THE MOTION PASSED WITH ELEVEN VOTES IN FAVOR, (STRANITI, HEMPSTEAD, BONENFANT, LINDSTROM, BONDI, MCQUAID, ROMANO, TOBIN, KYDES, MOUNT CONROY) FOUR OPPOSED, (JAEGER, HILLIARD, KING, SIMMS) AND NO ABSTENTIONS.**

Mr. Hilliard requested a five minute recess.

The meeting was recessed at 9:20 p.m. and returned back into public session at 9:30 p.m.

9a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with FGB Construction Company for Project No. BR 2010-1, Old Tokeneke Road Bridge Removal, for a sum not to exceed \$118,962.50, contingent on receipt of Darien's share of the cost (50%).

9b. Authorize the Director of Public Works to issue Orders on Contract to FGB Construction Company for Project BR 2010-1, Old Tokeneke Road Bridge Removal for a sum not to exceed \$11,896.25.

Account No. 0911 4021 5777 C0480

Mr. Conroy moved the item and stated that after an on-going debate, and prior agreements for funding by the state and the Town of Darien, a \$118,962 contract has been vetted through the RFP process to demolish the Old Tokeneke Road Bridge, which spans the border between Rowayton and Darien.

Ms. King stated that nothing has been done since last November despite several requests for a plan. She added that the Rowayton side looks horrible, and at least Darien has done some general clean-up of the area and landscaping, where Norwalk has done nothing. Mayor Moccia asked Mr. Alvord to address the questions, and Mr. Alvord stated that he has met with the Darien DPW four times and they were in agreement with the bid elements for the bridge removal.

Mr. Conroy added that there was an agreement for \$800,000 by the state to fund the bridge renovation, and Darien refused to accept the agreement and threatened to sue Norwalk if action was taken. Mr. Jaeger asked how long this has been going on, and Mr. Conroy replied that it has gone back and forth for ten years or more. Mr. Alvord replied that actually this has gone one for longer and perhaps even back as far as the 60's or 70's since that is when the problems with the soundness of the structure were first identified as a safety hazard.

Mr. Hempstead stated that the issue was if Darien would not have played games it would have already been a done deal, as money was set aside in the Capital Budget. Mr. Conroy stated that signing of the contract is contingent upon the town of Darien committing the other half of the demolition costs, and that we just need Darien on board, as he is not willing to accept that Norwalk should continue to foot the bill for another town's responsibility.

Ms. Lindstrom asked that if the demolition is a shared contingency with Darien, and they elect not to be a part of this project, is there a liability that then becomes Norwalk's. Also, she asked what type of permit process is required, and Mr. Alvord replied that the full blown permit is required. He added that the current contract does have funds for some improvements to realign the roadway and pedestrian crosswalk and safety fence until a footbridge is done. In addition some minimal landscaping is included such as top soil and seeding to make it presentable until a formal landscape design can be done.

Ms. King suggested to hold off on the contract until other issues can be addressed, such as construction of a footbridge in place of the demolished bridge, and asked that there be a plan in place. Mr. Alvord responded that the demolition has to occur before the conditions can be assessed to comprehensively develop a plan for a replacement structure.

Mr. Jaeger asked what if Norwalk just does the demolition because of the safety factor, even without Darien's agreement or share of the costs. Mr. Alvord responded that it is about to come down without being demolished as some of the rocks are turned and it is an extreme public safety issue.

Ms. King asked why this project is contingent upon Darien's participation if safety is the primary concern. Mr. Conroy replied that Darien has threatened a law suit if Norwalk proceeds with action. Mr. Kydes stated that what is happening here is two sovereign entities that will not allow the other to infringe upon their boundaries. Mr. McQuaid stated that the issue is ridiculous and what may happen is a dispute over which rocks to remove if the bridge ends up falling down on its own; and if it is a public safety hazard, the bridge should be demolished regardless of the participation of Darien.

**\*\* MR. CONROY MOTIONED TO AUTHORIZE THE MAYOR, RICHARD A. MOCCIA TO EXECUTE AN AGREEMENT WITH FGB CONSTRUCTION COMPANY FOR PROJECT NO. BR 2010-1, OLD TOKENEKE ROAD BRIDGE REMOVAL, FOR A SUM NOT TO EXCEED \$118,962.50, CONTINGENT ON RECEIPT OF DARIEN'S SHARE OF THE COST (50%).**

**AND TO AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ISSUE ORDERS ON CONTRACT TO FGB CONSTRUCTION COMPANY FOR PROJECT BR 2010-1, OLD TOKENEKE ROAD BRIDGE REMOVAL FOR A SUM NOT TO EXCEED \$11,896.25. ACCOUNT NO. 0911 4021 5777 C0480**

Mayor Moccia called for a roll call vote.

**\*\* THE MOTION PASSED WITH THIRTEEN VOTES IN FAVOR,  
(STRANITI, HEMPSTEAD, BONENFANT, LINDSTROM, BONDI, MCQUAID,  
ROMANO, TOBIN, KYDES, MOUNT, CONROY, HILLIARD, SIMMS) TWO  
OPPOSED, (JAEGER, KING) AND NO ABSTENTIONS.**

VIII. RESOLUTIONS FROM COMMON COUNCIL.

None

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

None

X. SUSPENSION OF THE RULES

There was one suspension of the rules made as prior to the consent calendar vote by Ms Romano, on page 4:

XI. ADJOURNMENT

**\*\* MR. BONENFANT MOTIONED TO ADJOURN.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Marilyn Knox  
Telesco Secretarial Services