

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 8:05 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. Richard McQuaid	Ms. Joanne Romano	Mr. John Tobin
District A:	Mr. Richard Bonenfant	Mr. David Jaegar
District B:		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

Thirteen members were present, two members were absent (Hilliard, Bondi).

II. ACCEPTANCE OF MINUTES

Regular meeting – October 12, 2010

Ms. King requested a correction on page 4 to delete the word investment in the first sentence. Mr. McQuaid requested a change on page 3, in sentence 2, change the word brother to son.

**** MR. CONROY MOTIONED TO APPROVE THE MINUTES FROM THE OCTOBER 12, 2010 MEETING AS AMENDED WITH CORRECTIONS NOTED.**

**** THE MOTION PASSED UNANIMOUSLY WITH ONE ABSTENTION (KYDES).**

III. PUBLIC PARTICIPATION

City Clerk Wink announced that no one had signed up to speak, and asked if there was anyone who had intended to make public comments; and hearing none the public participation portion of the meeting was closed at 8:15 p.m.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS: None

APPOINTMENTS: None

RE-APPOINTMENTS: Carol Andreoli, Alarm Appeals Board
Donald Eleck, Alarm Appeals Board
Mary Geake, Alarm Appeals Board
Daniel O'Connor, Alarm Appeals Board
Mary Ellen Barrelle, Board of Assessment Appeals
Arline Cioffi, Board of Assessment Appeals
Josephine Deupree, Board of Assessment Appeals
Tammy Langalis, Board of Assessment Appeals
Donald Overton, Board of Assessment Appeals
Harriet Petrides, Board of Assessment Appeals
Carol Frank, Fair Housing Advisory Commission
Rev. Jeffrey Ingraham, Fair Housing Advisory Commission
Cesar Ramirez, Fair Housing Advisory Commission
Bernadine Tatem, Fair Housing Advisory Commission

Mayor Moccia suggested the above re-appointments be grouped by Board/Commission and called for a motion.

** MR. HEMPSTEAD MOTIONED TO APPROVE THE RE-APPOINTMENT
OF THE FOLLOWING MEMBERS TO THE ALARM APPEALS BOARD:
CAROL ANDREOLI, DONALD ELECK, MARY GEAKE, DANIEL O'CONNOR.
** THE MOTION PASSED UNANIMOUSLY.

** MR. KYDES MOTIONED TO APPROVE THE RE-APPOINTMENT OF THE
FOLLOWING MEMBERS TO THE BOARD OF ASSESSMENT APPEALS:
MARY ELLEN BARRELLE, ARLINE CIOFFI, JOSEPHINE DEUPREE,
TAMMY LANGALIS, DONALD OVERTON, HARRIET PETRIDES.
** THE MOTION PASSED UNANIMOUSLY WITH ONE ABSTENTION
(CONROY).

** MS. ROMANO MOTIONED TO APPROVE THE RE-APPOINTMENT OF
THE FOLLOWING MEMBERS TO THE FAIR HOUSING ADVISORY
COMMISSION: CAROL FRANK, REV. JEFFREY INGRAHAM,
CESAR RAMIREZ, BERNADINE TATEM
** THE MOTION PASSED UNANIMOUSLY WITH ONE ABSTENTION
(CONROY).

MAYOR'S REMARKS:

Mayor Moccia stated that he had attended the CAPT Masters Award Ceremony at Norwalk High School and it was a nice turn out of parents and students to acknowledge this group of high achieving students.

Mayor Moccia thanked all those involved with the approval and negotiation process with Firefighter's Contract. He added that it was a very organized and civilized negotiation, acknowledging Mr. Hasselkamp, Mr. Hamilton, the Union representatives and all those who played a role with the process.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS

COMMENTS:

Mr. Hempstead stated that there are some upcoming events to note. The first is "Jazz Night" at Lockwood Matthews Museum this Friday, October 29, and the Norwalk Symphony concert on October 30 (free) and are two cultural events that members are encouraged to attend. He added that Veteran's Day is upcoming on November 11, which is only two days prior to the next Council meeting; and although it is a work day for many, he encourages members to attend the City ceremony. Mr. Hempstead wished everyone a safe Halloween.

B. CONSENT CALENDAR:

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

**** VI. A. 1, VII. A 1a, 1b, 2, 3, 4, 6, C1, D1, E (for information purposes only).
THE MOTION PASSED UNANIMOUSLY.**

Note: The following items on consent are listed in bold type:

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

A. CORPORATION COUNSEL

- 1. Authorization to Settle Claim: Rafael Veras v. Norwalk Board of Education,
et al EXECUTIVE SESSION**

On consent to move to the end of the agenda.

VII. COMMON COUNCIL COMMITTEES

A. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE

CONSENT CALENDAR – cont.

- 1.a. **Authorize the Mayor, Richard A. Moccia to enter into an agreement with Shock Electric Contractors, Inc. for Project #2960 Lighting Tennis Courts/Pedestrian Trail at Mathews Park for a sum not to exceed \$65,300. Account #09096030-5777-C0132 and 09106030-5777-C0132.**
- b. **Authorize the Director of Recreation and Parks to issue a change order for the Lighting Tennis Courts/Pedestrian Trail at Mathews Park for a sum not to exceed \$6,500.00. Account #09096030-5777-C0132 and 09106030-5777-C0132.**
2. **Approve the use of Veteran’s Park by the Norwalk Board of Education, Joe Maddaffari for their Annual Norwalk River Fun Run to be held on Saturday, December 4, 2010 from 8:00 a.m. – 12:00 noon. (Rain date: December 5, 2010) Estimated attendance 400.**
3. **Authorize the Mayor, Richard A. Moccia to enter an agreement with the Water Sports Center for the use of Veteran’s Park and Launch Ramps for their Annual Interscholastic Rowing Regatta to be held on Sunday, November 7, 2010 from 7:00 a.m. – 5:00 p.m. Estimated attendance 350.**

B. FINANCE COMMITTEE

1. **Accept and approve the Report of the Claims Committee
Dated: October 14, 2010.**
2. **For informational purposes only: Monthly Tax Collector’s Report
Dated: August 31, 2010 Revised, September 30, 2010.**
3. **For informational purposes only: Narrative on Tax Collections
Dated October 12, 2010.**
4. **Authorize the City Tax Collector to make refund payments for Overpayment of Taxes without Common Council approval up to \$10,000.00. The Current threshold is \$5,000.00. (As amended in Finance Committee).**
6. **Resolution appropriating \$8,585,000 for Capital Projects of the First Taxing District and Authorizing the Issuance of \$8,585,000 bonds of the City to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose.**

CONSENT CALENDAR – cont.

C. PERSONNEL COMMITTEE

- 1 Approval of firefighter contract.

D. PUBLIC WORKS COMMITTEE

1. Authorize the Purchasing Agent to issue a Purchase Order to Able Tool & Equipment for the purchase of a 2010 Chicago Pneumatic CP185 PD Compressor for a sum not to exceed \$13,994.00. Account No. 09 10/11 4031 5777C0313.

E. PLANNING COMMITTEE

Approved for information purposes only

- **RESOLVED** by the Norwalk Planning Commission that, in accordance with Section 8-24 of the Connecticut General Statutes, the referral made by Department of Public Works, in regards to the proposed drainage easements and non-exclusive access way easement between the City of Norwalk and Maplewood At Strawberry Hill, LLC for property at 73 Strawberry Hill Avenue be **APPROVED**; and

BE IT FURTHER RESOLVED that the reasons for this action are:

1. To implement the Plan of Conservation and Development goal to " B.3.3.6 Continue to minimize storm water runoff from new development by ensuring compliance with the Department of Public Works Storm Drainage Manual" (B.3.3.6 p. 18); and

BE IT FURTHER RESOLVED that notice of this action be forwarded to other appropriate agencies.

- **RESOLVED** by the Planning Commission that the Special Appropriation request by the Norwalk Land Trust for a grant in the amount of \$125,000 to pay for the purchase of real property at 34 Sammis Street (a.k.a the Hart Property) be **APPROVED**; and

BE IT FURTHER RESOLVED that the reasons for this action are:

1. To implement the Plan of Conservation and Development goal to Preserve and enhance public views of coastal waters (C.1.2, P.24)
2. To implement the Plan of Conservation and Development goal to Evaluate and protect coastal and other fragile natural resources (C.2.1.1, P. 25); and
3. To implement the Plan of Conservation and Development goal to Support the Conservation Commission's plan for open space preservation and selection (C.2.4.2, P. 26); and

CONSENT CALENDAR - cont.

4. To implement the Plan of Conservation and Development goal to Pursue acquisition of waterfront land and easements when opportunities arise for providing additional public access and enhance the open space system (C.2.4.7, P. 26); and
5. To implement the Plan of Conservation and Development goal to Maintain an Open Space Fund and consider acquisition of critical parcels as they become available (C.2.4.8, P. 26); and

BE IT FURTHER RESOLVED that notice of this action be forwarded to the appropriate agencies.

- **RESOLVED** by the Norwalk Planning Commission that a special capital appropriation and bond resolution in the amount of \$8,585,000 for the First District Water Department for a portion of various capital projects on behalf of the First Taxing District be **APPROVED**; and

BE IT FURTHER RESOLVED that the reasons for this action are:

1. To implement the Plan of Conservation and Development goal to “Support the Long Range Water Supply Plans of the First and Second Water Districts, to meet the future water supply needs of Norwalk” (B.10.1.3, P.21)

BE IT FURTHER RESOLVED that notice of this action be forwarded to the appropriate agencies.

VII. COMMON COUNCIL COMMITTEES - cont.

B. FINANCE COMMITTEE

5. The Common Council hereby delegates to the Mayor or Director of Finance, subject to the approval of the President of the Common Council, the Majority Leader of the Common Council, the Minority Leader of the Common Council, and the Chairman of the Finance Committee of the Common Council, or any two of them (the “Committee”), the authority to execute any and all documents relating to the procurement of electricity from (the chosen Firm) participating in RFP #2982 that provides the most favorable pricing, terms and conditions for the City, for a term not to exceed three (3) years. Account various.

Mr. Kydes asked Mr. Hamilton to clarify the terms of the item, and Mr. Hamilton presented the supporting documentation and stated that due to the volatility of the market, rate changes occur on an hourly basis. He added that the delegated group reviews the recommendations and decides (sometimes even over the phone) to choose the best rate plan.

Mr. McQuaid asked if the firms listed were qualified vendors, and Mr. Hamilton replied yes. Mr. Bonenfant asked that, since the prices change hourly, how that affects the agreement process. Mr. Hamilton replied that they rely on the Consultant for advice to monitor the market uncertainty to lock-in the preferred rate. Ms. Romano stated that with her experience, most plans renew unless cancelled, and Mr. Hamilton replied that he was not sure of the exact terms of an automatic renewal. He added that there was some mention as to whether or not CLP should be included in the list as the lowest alternate provider.

Mr. Mount asked what the value of the contract was, and Mr. Hamilton replied approximately \$2 million per year with the City and the Board of Education combined.

Mayor Moccia added that there was a time when he was contacted over the phone while out of town and told that “now was the time” to lock-in a rate, and that the process is actually quite volatile in this market.

**** MR. KYDES MOTIONED TO APPROVE THE AUTHORIZATION FOR THE COMMON COUNCIL TO HEREBY DELEGATE THE MAYOR OR DIRECTOR OF FINANCE, SUBJECT TO THE APPROVAL OF THE PRESIDENT OF THE COMMON COUNCIL, THE MAJORITY LEADER OF THE COMMON COUNCIL, THE MINORITY LEADER OF THE COMMON COUNCIL, AND THE CHAIRMAN OF THE FINANCE COMMITTEE OF THE COMMON COUNCIL, OR ANY TWO OF THEM (THE “COMMITTEE”), THE AUTHORITY TO EXECUTE ANY AND ALL DOCUMENTS RELATING TO THE PROCUREMENT OF ELECTRICITY FROM (THE CHOSEN FIRM) PARTICIPATING IN RFP #2982 THAT PROVIDES THE MOST FAVORABLE PRICING, TERMS AND CONDITIONS FOR THE CITY, FOR A TERM NOT TO EXCEED THREE (3) YEARS. ACCOUNT VARIOUS.**

**** THE MOTION PASSED UNANIMOUSLY.**

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

A. CORPORATION COUNSEL

Authorization to Settle Claim: Rafael Veras v. Norwalk Board of Education, et al

**** MR. CONROY MOTIONED TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSION OF THE AUTHORIZATION TO SETTLE CLAIM: RAFAEL VERAS V. NORWALK BOARD OF EDUCATION, ET AL .**
**** THE MOTION PASSED UNANIMOUSLY.**

The meeting went into Executive Session at 8:30 p.m.

Mr. McQuaid recused himself due to a conflict and left the meeting at 8:30 p.m.

The meeting was reconvened back into Public Session at 8:55 p.m.

Mayor Moccia announced that there was no action taken during the Executive Session.

- ** MR. HEMPSTEAD MOTIONED TO APPROVE THE AUTHORIZATION TO SETTLE CLAIM: RAFAEL VERAS V. NORWALK BOARD OF EDUCATION, ET AL .**
**** THE MOTION PASSED UNANIMOUSLY.**

VIII. RESOLUTIONS FROM COMMON COUNCIL

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

X. SUSPENSION OF RULES

XI. ADJOURNMENT

- ** MS. ROMANO MOTIONED TO ADJOURN.**
**** THE MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 8:57 p.m.

Respectfully submitted,

Marilyn Knox
Telesco Secretarial Services