

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. and led the assembly in the Pledge of Allegiance, and asked members to remain standing following the pledge.

Mayor Moccia announced the passing of two life-long residents of Norwalk, Mr. Jim Bellantoni, and Mr. Jack Casagrande. He stated that both men were very active citizens that were involved in youth programs and were institutional figures in the area of sports and City activities. He extended his condolences to the families and called for a moment of silence in their memory.

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	Mr. John Tobin
District A:	Mr. Richard Bonenfant	Mr. David Jaegar
District B:	Mr. Carvin Hilliard	Mr. Travis Simms
District C:		
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, (Lindstrom, Kydes)

II. **ACCEPTANCE OF MINUTES**

Regular meeting – November 23, 2010

Mayor Moccia stated that, at the request of Corporation Counsel, a notation should be made to reflect that the meeting was held at the Lockwood Matthews Mansion.

**** MR. BONDI MOTIONED TO APPROVE THE MINUTES FROM THE NOVEMBER 23, 2010 MEETING AS AMENDED WITH THE ABOVE CORRECTION AS NOTED.**

**** THE MOTION PASSED UNANIMOUSLY.**

III. PUBLIC PARTICIPATION

Mayor Moccia announced the rules for public participation and asked all those who signed up to speak to limit comments to a length of three minutes, and to keep comments relevant to the agenda.

City Clerk Wink asked those who had intended to make public comments to clearly state their name, address and affiliation and to speak into the microphone.

The following is not verbatim and represent summarizations of comments made:

1. Stuart Wells and Karen Doyle Lyons, Registrars of Voters for the City of Norwalk, stated that they wanted to thank everyone involved with a successful election. Mr. Wells stated that many people are involved, nearly 200, and he wanted to acknowledge those who were instrumental with the addition of computer usage at this year's election, which saved the City time and volumes of paper. He also wanted to thank the I.T. Department, the Library for loaning the computers, and the DPW for signs, and many others as it takes a large team to accomplish the tasks involved. Ms. Doyle –Lyons added that the office works very hard to accomplish this and she wanted to thank the City for their support and especially the poll workers, who are very diligent, and she thanked everyone involved with the election.
2. Art Scialabba, Republican Town Committee, stated that he wanted to express a statement of appreciation to Mr. Hempstead, Ms. Lindstrom and Mr. Bonenfant for their service and leadership in their respective positions on the City Council. He added that he is proud to announce the appointment of Ms. Kelly Straniti as the new majority leader and Mr. Richard McQuaid as the nominations for the next leaders.
3. Ms. Tammis Langalis and Mr. John Ignieri, Commissioners of the Sixth Taxing District, stated that they were there in support of the Item B5 from the Finance Department has of the \$400,000 issuance of general obligation bonds, which will be repaid by the Sixth District. She gave a background and summary overview of the project, which includes renovation of the Rowayton Community Center and grounds. Mr. Ignieri added that the District is committed to this project and has secured a grant from the State Commission on Tourism, which represents part of the pay-back plan to the City.
4. Ms. Diane Lauricella, stated that she urges item 7D to be sent back to Committee, as a 2.75% increase across the board is excessive and is not justified under the financial constraints of the City and the economy. She explained that despite the absence of Ms. Romano, the Chair of the Committee, there are other clear and important reasons this should be addressed. Ms. Romano raised her hand to show that she was in attendance, and Ms. Lauricella apologized for not recognizing her and stated that she looked great and she was glad to see her. Ms. Lauricella re-stated that there were two reasons for this request:

- It is way too early in the budget process to approve such a wage increase especially across the board at 2.75%.
- While it is a painful process, it is the Council's duty to closely examine such wage increases and to carefully evaluate such practices.

Ms. Lauricella stated that in addition, she is very concerned about how the Personnel Committee operates, that they have not held many meetings, there has not been a quorum in attendance to vote on important items, and they have only held two or three Executive Sessions for discussion of union-related or personnel matters. She stated that she sees a very narrow agenda, while there are many issues such as DPW waste hauler grievances, and others that should be covered during committee meetings. Ms. Lauricella stated that the public deserves the right to weigh in on the discussion and decision process, and despite what she had read in the paper, that City Department Heads had taken furlough days, this was not enough to justify such across the board salary increases. She added that these department heads are well paid with attractive benefit packages, and Mr. Hasselkamp is not being upfront with the public and the City should not be led down ;this path and have the item pulled over their heads.

Mr. Hempstead stated that he takes exception to such accusations without substantiation, and finds it uncalled for during public comment. Ms. Lauricella replied that she should not be interrupted without being able to state her voice on this issue. Mayor Moccia stated that she had already gone over the time limit by one and one half minutes, and that she had been given ample time to state her comments. Ms. Lauricella added that she finds it outrageous that she was not permitted to finish stating her points without rebuttal by the Council President and that the public deserves the right to weigh in on this discussion process. She added that this is what public comment is all about and, as a citizen, she is entitled to this time to state her voice on these unjustified "across the board" salary increases the Department Heads.

5. Mr. Dan Grundeman, Adams Lane, Norwalk stated that he is in opposition to item 7D that a 2.75% automatic pay increase across the board is excessive and is not justified under the financial constraints of the City and the economy. He added that there is no increase in the Grand List, no increase in Social Security payments, and the trends in declining housing values present a situation whereby salaries should be frozen or capped. He stated that other cities have had to cut wages or positions and city employees have lost jobs, and the cycle of automatic pay increases has to stop or this city will be in the same situation. He added that if a department head has done an exceptional job, then that individual could deserve a one-time bonus, one that specifically does not increase the City's ballooning pension situation. He stated that salary reform must occur and this situation is just another example of "rubber stamp" passive government practice, and he urges the Council to look at other solutions and to examine other options.

Mayor Moccia if anyone else had intended to speak, and hearing none the public participation portion of the meeting was closed at 8:22 p.m.

IV. MAYOR

A. **RESIGNATIONS AND APPOINTMENTS - None**

RE-APPOINTMENTS: Kenneth Lalime, Board of Health
Theresa Quell, Board of Health

Mr. McQuaid stated that he was pleased to support the reappointment of Kenneth Lalime stated that he is an active citizen and has made a valuable contribution to his position on the Board Health. Mayor Moccia added that he wanted to echo the comments made by Mr. McQuaid and agrees with Mr. Lalime's reappointment to the Board.

**** MR. MCQUAID MOTIONED TO ACCEPT THE ABOVE REAPPOINTMENT OF KENNETH LALIME TO THE BOARD OF HEALTH.**
**** THE MOTION PASSED UNANIMOUSLY.**

Mr. Hempstead stated that he was pleased to support the reappointment of Theresa Quell and stated that she has tremendous experience, and along with her field experience, she is a vital asset to the Board. Mr. McQuaid added that he wanted to echo the comments made by Mr. Hempstead and in addition, Ms. Quell's work at the Board of Education and Fairfield University compliment the background that she brings to the Board.

**** MR. HEMPSTEAD MOTIONED TO ACCEPT THE ABOVE REAPPOINTMENT OF THERESA QUELL TO THE BOARD OF HEALTH.**
**** THE MOTION PASSED UNANIMOUSLY.**

MAYOR'S REMARKS:

Mayor Moccia extended wishes for a Merry Christmas, Happy New Year and Happy Hanukah, and a safe holiday season.

Mayor Moccia announced that tonight's meeting represents a change in leadership for the Council President and majority and minority party leaders. He made statements of thanks to Mr. Hempstead, Ms. Lindstrom and Mr. Bonenfant for their service and leadership in their respective positions and added that he is greatly appreciative of their support and dedication to the tough jobs that they do for the Council. He added that as it continues to be a difficult budget situation for the City, he wants to remind the members that there has to be a balance of taxes and resources and that you can't have it both ways, with no increase in taxes and no decreases in expenditures; and that something as to give.

Mayor Moccia stated that any action on the agenda item involving salary increases for City Department Heads is no reflection on their capabilities, as they are among the best city workers in the state. He added that he is pleased to come to work each day at City Hall and to share the honor that he experiences to serve in such a place where the city workers are professional and pleasant with the jobs they perform.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS:

Remarks:

Mr. Hempstead extended wishes for a Merry Christmas, Happy New Year and Happy Hanukah, and noted that this is one of the only cities that had five tree lightings.

Mr. Hempstead thanked all those in the Council for their support during his position as President, and in particular, to Ms. Lindstrom and Mr. Bonenfant for their leadership roles in serving in capacity of majority and minority party leaders, adding that it is not an easy job. He added that he wanted to thank those who supported him when he became Council President and appreciated and supported that he wanted to do a couple of things differently than what they had done in the past. He added that his list was a lot longer than what he thought he could do, and he appreciates all the work from the Council, and stated that until you get on the inside from the outside, you don't realize how much work is involved. Mr. Hempstead stated that he would be making a motion to suspend the rules to add an election for the position of Council President to the agenda.

- ** MR. HEMPSTEAD MOTIONED FOR A SUSPENSION OF THE RULES TO ADD AN ELECTION OF COUNCIL PRESIDENT TO THE MEETING AGENDA.**
- ** THE MOTION PASSED UNANIMOUSLY.**

Mr. Hempstead stated that he has the pleasure of nominating Mr. Richard McQuaid to the position of Common Council President, and added that he has known him for over twenty years and both a friend, colleague, counselor, coach, and father of five children. He added that Rick McQuaid is a dedicated councilman, a person of high integrity, approachable and knowledgeable of city government, and has his utmost respect and admiration of his experience and service to the City.

Mr. Bonenfant stated that he wanted to second the nomination as Mr. McQuaid has taught him a great deal during his role as Majority Leader about the City of Norwalk, and he greatly deserves this recognition of his experience and dedicated service.

Mr. Hilliard added that Mr. McQuaid has always worked hard and he has worked well with the minority party, and wanted to acknowledge his deserving of the nomination.

- ** MR. HEMPSTEAD MOTIONED TO NOMINATE MR. RICHARD MCQUAID TO THE POSITION OF COUNCIL PRESIDENT TO THE CITY OF NORWALK COMMON COUNCIL.**
- ** THE MOTION PASSED UNANIMOUSLY.**

Mr. Hempstead exchanged name plates and chairs with Mr. McQuaid, and Mr. McQuaid assumed the position as Council President.

COUNCIL PRESIDENT REMARKS:

Mr. McQuaid thanked the members for their vote of confidence and support, and added statements of thanks to Ms. Laurel Lindstrom for leading the minority party and to Richard Bonenfant, majority party leader, for stepping in during this tough budget year. He thanked Mr. Hempstead for being his mentor and for being a true leader for the Council and for the City. He added that he looks forward to working with the Mayor and City Department Heads and the Board of Education Superintendent, Dr. Marks, who has shown herself to be a leader and a breath of fresh air to the district. He wished everyone happy holidays, and added that the East Norwalk tree lighting ceremony was the best.

B. CONSENT CALENDAR:

- ** MR. MCQUAID MOTIONED THE FOLLOWING ITEMS FOR THE
CONSENT CALENDAR:
**VII.A.1a, VII.A.1b, VII.B.1, VII.B.2, VII.B.3, VII.B.4, VII.B.5, VII.C.2a,
VII.C.2b, VII.C.3, VII.C.4, VII.C.5, VII.D1 (ON CONSENT TO TABLE BACK
TO COMMITTEE) VII E.1, VII.E.2.**
** THE MOTION PASSED UNANIMOUSLY.

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

VII. COMMON COUNCIL COMMITTEES

A. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1a. Authorize the Purchasing Agent to issue a Purchase Order to McQuay International/Swan Associates for the purchase of two McQuay chillers for Norwalk City Hall for a total not to exceed \$239,600.00. Account #35017-556C (EECBG), 09117100 5777 C0439, 09091700 5777 C0439.

1b. Approve contingency allowance in the amount of \$10,000 as may be necessary to modify the equipment.

B. FINANCE COMMITTEE

- 1. Accept and approve the Report of the Claims Committee: November 30, 2010.**
- 2. FOR INFORMATIONAL PURPOSES ONLY: Monthly Tax Collector's report dated November 30, 2010.**

C. CONSENT CALENDAR- continued:

- 3. FOR INFORMATIONAL PURPOSES ONLY: Narrative on Tax Collections dated December 9, 2010.**
- 4. Authorize the Purchasing Agent to issue orders in accordance with the City Procurement Guidelines for personal computer workstations, laptops, printers, mobile data terminals, and obsolete asset disposal according to City IT Department technical specifications, for an amount not to exceed \$180,241.64. Account No. 09110600-5777-C0375 (Approved IT Capital item; no special appropriation required).**
- 5. Resolution appropriating \$400,000 for Capital Projects of the Sixth Taxing District and authorizing the issuance of \$400,000 Bonds of the City to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose.**

C. PUBLIC WORKS COMMITTEE

- 2a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with FGB Construction for Project No. ARRA 2010-2 Pavement Preservation Project Seaview and Ponus Avenue State Project 102-341, for a sum not to exceed \$696,794.08.**
- 2b. Authorize the Director of Public Works to execute an Orders on Contract with FGB Construction for Project No. ARRA 2010-2 Pavement Preservation Project Seaview and Ponus Avenue State Project 102-341, for a sum not to exceed \$69,679.40. Account No. 0911-0400402100-5777-C0021**
- 3. Authorize the Mayor, Richard A. Moccia, to execute the Master Agreement between the State of Connecticut, Department of Transportation and the City of Norwalk Department of Public Works for Readjustment, Relocation, and/or Removal of Utility Facilities on Highway Projects.**
- 4. Authorize the Mayor, Richard A. Moccia, to execute an amendment to the agreement with FGB Construction for Project No. PM 2009-1, Proposed Pavement Management program, for a sum not to exceed \$65,500.00. Account No. 0909 4021 5777 C0021**
- 5. Approve the IP camera project detailed in the Wright-Pierce proposal of November 5, 2010, W-P Project No. 10917F, and authorize reimbursement to the Water Pollution Control Authority for that portion of work the related to the Public Works Center and Transfer Station in a sum not to exceed \$40,200.00. Account No. 09110600-5777-C0375 (IT capital account)**

CONSENT CALENDAR – continued

D. PERSONNEL COMMITTEE

1. **Approval of Pay Plan Amendment 2011.
ON CONSENT TO BE TABLED BACK TO COMMITTEE**

E. PLANNING COMMITTEE

1. **Approve the City of Norwalk's Analysis of Impediments to Fair Housing Choice.**
2. **The Agency, operating as the City's CDBG Administrator, deems the Norwalk Housing Authority's PHA Plan for Fiscal Year 2011 – 2012 to be substantially consistent with the City's current Consolidated Plan, with the exception of Goal 1 (Page A1) of the PHA Plan, and seeks Council approval for the Mayor to execute the required Certificate of Consistency that must accompany this document when submitted to the U.S. Department of Housing and Urban Development.**

C. FINANCE COMMITTEE

A. BOARD OF ESTIMATE & TAXATION

FISCAL YEAR 2010-2011

1. **RESOLVED**, that a sum not to exceed \$50,816 be and the same is hereby transferred from Contingency to the Registrar of Voters to cover expenses associated with the August 10th primary election. (Account #various).

Mr. Tobin stated that he would be recusing himself due to a conflict, and left the Council Chambers at 8:40 p.m.

**** MR. CONROY MOTIONED TO APPROVE THE FOLLOWING RESOLUTION:**

RESOLVED, THAT A SUM NOT TO EXCEED \$50,816 BE AND THE SAME IS HEREBY TRANSFERRED FROM CONTINGENCY TO THE REGISTRAR OF VOTERS TO COVER EXPENSES ASSOCIATED WITH THE AUGUST 10TH PRIMARY ELECTION. (ACCOUNT #VARIOUS).

**** THE MOTION PASSED WITH TWELVE VOTES IN FAVOR AND ONE OPPOSED (BONDI).**

Mr. Tobin returned to the meeting at 8:41 p.m.

6. Authorize, the Mayor Richard A. Moccia, to execute any and all documents necessary to secure the repayment of a loan in an amount not to exceed \$400,000 from the City of Norwalk to the Sixth Taxing District for the renovation of the Rowayton Community Center, and \$300,000 for a fire truck, which was first authorized as part of the FY 2009-10 Capital Budget.

Mr. Conroy presented the item and suggested that the item be amended to strike the second portion of the paragraph relating to the fire truck from “and \$300,000” on to the end, due to the fact that the fire truck should not be combined with this bond, as they are entirely two separate entities.

Mr. Hamilton stepped forward to address the item and presented the supporting documents, stating that while the \$300,000 transaction as authorized by the City with the approval of the FY 2009-10 Capital Budget, they would like to take this opportunity to formalize the loan agreement. He added that the City is seeking authorization to formalize the agreement to impose fees and a structure to the transaction.

A discussion ensued relative to the issue of going back in time, and following the discussion, Mr. Conroy explained that he had been Treasurer of the Sixth Taxing District at the time and asked that presented a conflict. Attorney Maslan replied, yes, this was a conflict, and Mr. Conroy stated that he would recuse himself from any further discussion and vote on the item.

Ms. King stated that she agreed with Mr. Conroy that the idea of retroactive agreements should not be done reflecting going back in time. She added that this is something that bypassed the Committee meeting and went directly to the Council, which has to stop. Mr. Hamilton replied that the Finance Department was prepared to present this at the Finance Committee meeting but it was cancelled due to a lack of a quorum.

Mr. Jaeger stated that he was in agreement with Mr. Hamilton that the formalizing of the agreement should have been done, and while the fee is modest, it represents a sound practice of bonding documentation.

Mr. Hempstead suggested that one alternative would be to modify the item to remove the fees. Mr. Maslan suggested that the following motion could be made:

**** MR. HEMPSTEAD MOTIONED TO AUTHORIZE, THE MAYOR RICHARD A. MOCCIA, TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO SECURE THE REPAYMENT OF A LOAN IN AN AMOUNT NOT TO EXCEED \$400,000 FROM THE CITY OF NORWALK TO THE SIXTH TAXING DISTRICT FOR THE RENOVATION OF THE ROWAYTON COMMUNITY CENTER, AND \$300,000 FOR A FIRE TRUCK, WHICH WAS FIRST AUTHORIZED AS PART OF THE FY 2009-10 CAPITAL BUDGET, WITH NO FEES OR COST OF ISSUANCE (ITEMS 4 AND 5 OF THE TERM SHEET).**

Mayor Moccia called for a roll call vote.

**** MOTION PASSED WITH SEVEN VOTES IN FAVOR (BONENFANT, HEMPSTEAD, KING, MCQUAID, MOUNT, ROMANO, STRANITI, TOBIN) AND FOUR OPPOSED (BONDI, JAEGER, HILLIARD, SIMMS) ONE ABSTENTION (CONROY).**

C. PUBLIC WORKS COMMITTEE

1. Authorize the Mayor, Richard A. Moccia, to execute Supplemental No. 2 to the agreement with GM2 Associates, Inc., for the design of the project "Reconstruction of Rowayton Avenue at Metro North Railroad" for a sum not to exceed \$62,855.19. Account No. 0902040402100 5777 C0234.

Mr. Conroy presented the item and asked Mr. Alvord to step forward to address questions, who stated that this was a state project. Ms. King stated that she had objections to the \$12,000 archeological study to determine preservation of historical artifacts, and stated that it was unnecessary. She added that she also takes exception to the fact that the height was raised despite the outcome of public hearings. Mr. Alvord replied that the memo is the same as was presented during the public hearings and Committee meetings, and stated that the bridge height was clarified as needed to document the required emergency vehicle clearance.

Mr. Hempstead stated that although he agrees that the archaeological study is a waste of City dollars, unfortunately it is required by the state and the City is stuck with the bill.

Mr. Conroy stated that he wanted to point out that at the Committee meetings, Mr. Alvord was asked to explain the details of the bridge height, and he has done so, therefore he is in agreement to support the item.

Mr. Jaeger asked if the study was requested or required, and Mr. Alvord replied that it was required by the state mandates. Mr. Bonenfant asked if we need a waiver from the state DOT, and Mr. Alvord replied that a height of 14.6 does require a waiver, as listed in the memo.

**** MR. CONROY MOTIONED TO AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE SUPPLEMENTAL NO. 2 TO THE AGREEMENT WITH GM2 ASSOCIATES, INC., FOR THE DESIGN OF THE PROJECT "RECONSTRUCTION OF ROWAYTON AVENUE AT METRO NORTH RAILROAD" FOR A SUM NOT TO EXCEED \$62,855.19. ACCOUNT NO. 0902040402100 5777 C0234.**

Mayor Moccia called for a roll call vote.

**** THE MOTION PASSED WITH ELEVEN VOTES IN FAVOR AND TWO OPPOSED (KING, TOBIN).**

E. PLANNING COMMITTEE

6. Authorize the Mayor, Richard A. Moccia, to sign the Resolution for Reconstruction of East Avenue).

Mr. Conroy read the resolution as follows:

**RESOLUTION
RECONSTRUCTION OF EAST AVENUE**

WHEREAS, the City of Norwalk, CT has conducted a public hearing regarding the proposed project for the “Reconstruction of East Avenue” (Conn DOT Project No. 102-297; and

WHEREAS, the City of Norwalk, CT has made changes in the conceptual approach to the reconstruction of East Avenue in response to resident concerns raised at the first two public information meetings; and

WHEREAS, the City of Norwalk, CT has published legal notices and display ads, mailed letters with notification of the hearing along with a brief description of the project to municipal officials, agencies, and abutting property owners; and

WHEREAS, the most recent public hearing was held on November 18, 2010, from 7:00PM to 9:00 PM in City Hall, at which residents and elected officials had the opportunity to provide additional comments and voice concerns; and

WHEREAS, the South Western Regional Planning Agency and the Norwalk Traffic Authority have endorsed this project; and

WHEREAS, the Norwalk City Staff will continue to consider the comments and concerns of the residents and will work to incorporate into the roadway grass snow shelves, plantings, pedestrian amenities, underground utilities and other considerations to retain and/or improve the overall character of the neighborhood, the Common Council finds that the proposed project, Reconstruction of East Avenue (Conn DOT Project No. 102-297) are in the best interest of the City of Norwalk, and will promote the health, safety and general welfare of its residents and provide for convenience and safety of the motoring public and pedestrian traffic.

NOW THEREFORE, the City of Norwalk, Connecticut, based on the above information, and by virtue of this resolution, hereby fully supports the proposed project.

VIII. RESOLUTIONS FROM COMMON COUNCIL – Item E6, page 11

IX. MOTIONS POSTPONED TO A SPECIFIC DATE - None

X. SUSPENSION OF RULES - There was one suspension of rules to add the election for the position of Council President to the agenda, as presented by Mr. Hempstead.

Additional Comments:

Mr. McQuaid stated that it had been customary to cancel the second Council meeting in December to allow members to spend time with their families during the holidays.

**** MR. HEMPSTEAD MOTIONED TO CANCEL THE DECEMBER 28, 2010 COMMON COUNCIL MEETING, PROVIDING THERE WERE NO ISSUES REQUIRING ACTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

Mayor Moccia reminded members of the invitation to his annual holiday pizza party to be held at the Fat Cat Grill.

XI. ADJOURNMENT

**** MR. BONDI MOTIONED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Marilyn Knox,
Telesco Secretarial Services