

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.

I. ROLL CALL

City Clerk Halsey called the roll. The following Council Members were present:

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

Mayor Richard A. Moccia, Attorney Robert Maslan, Corporation Counsel
Erin Halsey, City Clerk

Thirteen members were present; two members were absent (McQuaid, King)

II. ACCEPTANCE OF MINUTES

Regular meeting – June 28, 2011

**** MR. CONROY MOTIONED TO APPROVE THE MINUTES FROM THE JUNE 28, 2011 MEETING, AS SUBMITTED.**

**** THE MOTION PASSED UNANIMOUSLY, WITH TWO ABSTENTIONS (BONDI, SIMMS).**

III. PUBLIC PARTICIPATION

Mayor Moccia reviewed the procedure and rules for those who had signed up to speak, and asked those individuals to state their name, address or affiliation and to comment only as relevant to the agenda items, limited to a maximum of three minutes.

The following comments are summarized and are not verbatim.

1. Mr. Mark Bradley, 28 Yarmouth Road, Norwalk, and of the DTC, stated that he wanted to thank Mayor Moccia and the DPW for paving his street on Bell Island. He stated that he was here to speak about the Railroad bridge at Rowayton Avenue, that \$2.8 million is unnecessary and a waste of stated and federal monies.

Public Comment – continued

Mr. Bradley added that improving the sidewalks for safety compliance was necessary, however the additional expense of widening the height for access by emergency vehicles is a farce. He stated that the only vehicle that would not be able to fit is the SWAT vehicle, which is silly as it is not really necessary in Rowayton. He suggested that the money would be better spent on public safety or even education rather than unnecessary public works construction expenses. He added that the disregard of compassion by the use of eminent domain is apparent and should only be used if absolutely necessary, and he encouraged the Council not to approve DPW item 6, the resolution for the reconstruction of the Metro-North Railroad Bridge at Rowayton Avenue.

Mayor Moccia asked if there was anyone in attendance who wished to speak on an agenda item, and hearing none, stated the public participation of the meeting was closed at 8:10 p.m..

IV. MAYOR - RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS: Mary Beth Sullivan (Alternate), Conservation Commission

Mayor Moccia stated that resignation has been accepted however as is listed on the agenda, she is recommended for an appointment as a regular member of the.

APPOINTMENTS:

Leslie White Siek, (Alternate) Conservation Commission - Term Exp. 01/01/2013
Mr. Conroy stated that he has known Ms. Siek as a fellow Rowayton resident and is pleased to recommend her for this position; also, he is aware of Mr. McCarthy's recommendation on her behalf.

**** MR. CONROY MOTIONED TO APPROVE THE APPOINTMENT OF
LESLIE WHITE SIEK, AS AN ALTERNATE ON THE CONSERVATION
COMMISSION.**

**** THE MOTION PASSED UNANIMOUSLY.**

Bill Nightingale, Jr., (Alternate) Conservation Commission - Term Exp. 01/01/2015
Ms. Straniti stated that she has known Mr. Nightingale as an active resident for several years, and he is engaged in the community and is pleased to recommend him for this position. Mr. Conroy added that one of the goals of council is to groom candidates for such appointments, and he echoes Ms. Straniti remarks and is also pleased to recommend Mr. Nightingale.

**** MS. STRANITI MOTIONED TO APPROVE THE APPOINTMENT OF
BILL NIGHTINGALE, JR. AS AN ALTERNATE ON THE CONSERVATION
COMMISSION.**

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

Mary Beth Sullivan, Conservation Commission - Term Exp. 01/01/2013

Mr. Conroy stated that he has known Ms. Sullivan is pleased to recommend her for this position. Mr. Hempstead added that May Beth is very active and productive and is confident she will continue to do a good job in this endeavor.

- ** MR. CONROY MOTIONED TO APPROVE THE APPOINTMENT OF MARY BETH SULLIVAN TO THE CONSERVATION COMMISSION.**
**** THE MOTION PASSED UNANIMOUSLY.**

Shannon Giandurco, Oak Hills Authority - Term Exp. 06/24/2014

Mr. Hempstead stated that Ms. Giandurco is very conscientious, enthusiastic and productive and is confident she will do a good job in this position.

- ** MR. HEMPSTEAD MOTIONED TO APPROVE THE APPOINTMENT OF SHANNON GIANDURCO TO THE OAK HILLS AUTHORITY.**
**** THE MOTION PASSED UNANIMOUSLY.**

Nathan Sumpter, Zoning Commission - Term Exp. 07/01/2014

Mr. Hilliard stated that Mr. Sumpter is very committed, very conscientious and enthusiastic and he is pleased to recommend him for this appointment. Mayor Moccia added that Mr. Sumptner has served on the ZBA and has experience that is suitable for the Commission.

- ** MR. HILLIARD MOTIONED TO APPROVE THE APPOINTMENT OF NATHAN SUMPTER TO THE ZONING COMMISSION.**
**** THE MOTION PASSED UNANIMOUSLY.**

REAPPOINTMENTS:

Michael Stewart, Tax Assessor - Term Exp. 06/30/2015

Mr. Kydes stated that Mr. Stewart is very competent and knowledgeable and has done a great job in this capacity. Mr. Hilliard stated that he agrees with Mr. Kydes and is pleased to support this recommendation. Mayor Moccia added that Mr. Stewart has done a fine job in this job, which can be a very unpopular position.

- ** MR. KYDES MOTIONED TO APPROVE THE APPOINTMENT OF MICHAEL STEWART AS THE TAX ASSESSOR.**
**** THE MOTION PASSED UNANIMOUSLY, ONE ABSTENTION (CONROY).**

Timothy Callahan, Director of Public Health - Term Exp. 07/01/2015

Mr. Bonenfant stated that Mr. Callahan is very competent and is hard-working and as a member of the Health, Welfare and Public Safety Committee, he has always found him to be very dedicated and capable. Mr. Bondi stated that he also has found Mr. Callahan to be helpful, and most recently has provided the Committee with a tour of the Health Department building improvements.

REAPPOINTMENTS - continued.

Mr. Conroy added that he goes way back with Mr. Callahan and he is always been responsive to issues involving investigations or Health Department matters, and he heartily recommends him for this reappointment. Mayor Moccia Hilliard stated that he concurs with these comments of Mr. Callahan's competence.

- ** MR. BONENFANT MOTIONED TO APPROVE THE REAPPOINTMENT OF TIMOTHY CALLAHAN AS THE DIRECTOR OF PUBLIC HEALTH.**
**** THE MOTION PASSED UNANIMOUSLY.**

Donald O. Nelson, Tree Advisory - Term Exp. 07/01/2014
Richard Whitehead, Tree Advisory - Term Exp. 07/01/2014

Mr. Bondi requested to put the above names on one motion and added that he goes way back with both Mr. Nelson and Mr. Whitehead and they are true friends, are hard-working members and assets of the Tree Advisory Board, and he recommends their reappointment.

- ** MR. BONDI MOTIONED TO APPROVE THE REAPPOINTMENT OF DONALD NELSON AND RICHARD WHITEHEAD TO THE TREE ADVISORY BOARD.**
**** THE MOTION PASSED UNANIMOUSLY.**

Mary Geake, Fair Rent Commission - Term Exp. 07/01/2014

Mr. Hilliard stated that Ms Geake is very committed, very conscientious and enthusiastic and he is pleased to recommend her for this appointment. Ms. Romano stated that she echoes these comments and Mary is always there and is a dedicated, asset to the Commission. Mr. Hempstead stated that Mary fits the bill and no matter the party affiliation, she is a dedicated, super active member of the Community and has many years of experience for the Commission. Mr. Jaeger also stated that he wanted to echo the comments in support of Ms. Geake and her reappointment.

- ** MR. HILLIARD MOTIONED TO APPROVE THE APPOINTMENT OF MARY GEAKE TO THE FAIR RENT COMMISSION.**
**** THE MOTION PASSED UNANIMOUSLY.**

Richard Stumpf, Fair Rent Commission - Term Exp. 07/01/2014

Ms. Romano stated that she is pleased to recommend him for this reappointment, as he is also is a dedicated, asset to the Commission.

- ** MS. ROMANO MOTIONED TO APPROVE THE APPOINTMENT OF RICHARD STUMPF TO THE FAIR RENT COMMISSION.**
**** THE MOTION PASSED UNANIMOUSLY.**

REAPPOINTMENTS - continued.

Erik T. Anderson, (Alternate) Fair Rent Commission - Term Exp. 07/01/2014

Mr. Jaeger stated that he is pleased to recommend him for this reappointment, as he is also is a dedicated, asset to the Commission. Ms. Romano added that no matter the party affiliation, he is a dedicated, proactive member of the Commission.

- ** **MR. JAEGER MOTIONED TO APPROVE THE REAPPOINTMENT OF ERIK ANDERSON AS AN ALTERNATE ON THE FAIR RENT COMMISSION.**
- ** **THE MOTION PASSED UNANIMOUSLY.**

Johnnie Mae Weldon, (Alternate) Fair Rent Commission - Term Exp. 07/01/2014

Mr. Hilliard stated that he is pleased to recommend her for this reappointment, as she is also is a dedicated, energetic, an asset to the Commission and her service is a plus for the City.

- ** **MR. HILLIARD MOTIONED TO APPROVE THE REAPPOINTMENT OF JOHNNIE MAE WELDON AS AN ALTERNATE ON THE FAIR RENT COMMISSION.**
- ** **THE MOTION PASSED UNANIMOUSLY.**

Michael Mushak, Zoning Commission - Term Exp. 07/01/2014

Mr. Hilliard stated that he is pleased to recommend him for this reappointment, as he is a dedicated, asset to the Commission and his consistent, long-time service is a plus for the City. Mr. Hempstead added that Mr. Mushak brings a great deal of knowledge and background and his experience in the community is invaluable. Mr. Simms stated that he is proud to echo the comments made in support of Mr. Mushak as he is engaged in the community and is a resourceful asset to the Commission. Mr. Bondi stated that he also wanted to echo comments of support for Mr. Mushak's reappointment.

- ** **MR. HILLIARD MOTIONED TO APPROVE THE REAPPOINTMENT OF MICHAEL MUSHAK TO THE ZONING COMMISSION.**
- ** **THE MOTION PASSED WITH TWELVE VOTES IN FAVOR AND ONE OPPOSED (KYDES).**

Robert Hard, (Alternate) Zoning Commission - Term Exp. 07/01/2014

- ** **MR. HEMPSTEAD MOTIONED TO TABLE THE REAPPOINTMENT OF ROBERT HARD AS AN ALTERNATE TO THE ZONING COMMISSION.**
- ** **THE MOTION PASSED UNANIMOUSLY.**

REAPPOINTMENTS - continued.

Thomas Aikenhead, Oak Hills Authority- Term Exp. 06/24/2014

Mr. Conroy stated that is pleased to recommend him for this reappointment, and Mr. Hempstead added that he is very active and productive and is confident he will continue to do a good job in this position. Mayor Moccia added that he agrees with these comments and is pleased to make this reappointment.

- ** MR. CONROY MOTIONED TO APPROVE THE APPOINTMENT OF
THOMAS AIKENHEAD TO THE OAK HILLS AUTHORITY.
** THE MOTION PASSED UNANIMOUSLY.**

MAYOR COMMENTS:

The Mayor thanked everyone for their continued dedication to the City and welcomed several new members to various Commissions. He commended the work they have done and acknowledged all of the time and effort they give to the City.

Mayor Moccia stated that with recent high temperatures he has wanted to remind the public that cooling centers are available at both the Norwalk Public Library and City Hall Community Room. He recommended to the elderly and those at risk to avoid exertion during the heat of the day, to increase fluids and wear hats.

Mayor Moccia asked Mr. Bondi to give an update on the Car Show scheduled through Recreation, Parks & Cultural Affairs. Mr. Bondi stated that it will be held Wednesday evening, weather permitting, at Calf Pasture Beach and he encouraged all to attend this annual summer event.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS: Mayor Moccia stated that in Mr. McQuaid's absence, the Majority Party leader would act as Council President. Ms. Straniti sent her regards to Mr. McQuaid for not being able to attend the meeting, and presented the following items on consent.

B. CONSENT CALENDAR:

- ** MRS. STRANITI MOTIONED THE FOLLOWING ITEMS FOR THE
CONSENT CALENDAR:
VII.A.1, VII.A.2, VII.A.3, VII.A.4, VII.A.5, VII.A.8, VII.B.1a, VII.B.1b, VII.B.2,
VII.B.3, C1, (TABLED BACK TO COMMITTEE); VII.D.3, VII.D.4, VII.D.5, VII.D.6
** THE MOTION PASSED UNANIMOUSLY.**

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS NONE

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

**VII. COMMON COUNCIL COMMITTEES
A. PUBLIC WORKS COMMITTEE**

1. Authorize the Mayor, Richard A. Moccia to execute an Agreement for Professional Engineering Services for “On-Call Traffic Engineering Services” with RBA of Connecticut, Inc. in an amount not to exceed \$20,000.00. Account Nos.014030 5258 - 014031 5343.

2. Authorize the Mayor, Richard A. Moccia to execute an Agreement for Professional Engineering Services for “On-Call Traffic Engineering Services” with Vanasse Hangen Brustlin, Inc. in an amount not to exceed \$10,000.00.Acct No.014030 5258.

3. Authorize the Mayor, Richard A. Moccia to execute an amendment to the Agreement for Professional Engineering Services for between the City of Norwalk and Tighe & Bond, Inc. in conjunction with the West Avenue Roadway improvements Project in an amount not to exceed \$72,500.00 and require the Department of Public Works to seek delay damages as a result of a traffic light/signal mast manufacturing error that was discovered after their delivery to the City and which necessitated their return for re-manufacturing. Account No. Norwalk Redevelopment Agency.

4. Approve the technical correction of Item VII. D. 4. of the Common Council meeting of June 14, 2011:

a. As authorized on June 14, 2011:

Authorize the Mayor, Richard A. Moccia, to execute an Agreement with DW Transport and Leasing, Inc., for Project No., 3045, to provide Transport and Disposal of Yard Waste Materials for a FY 2011-12 price of \$21.75/ton for brush, logs, stumps and woodchips and \$19.60/ton for leaves; FY 2012-13 price of \$22.40/ton for brush, logs, stumps and woodchips and \$20.19/ton for leaves; FY 2013-14 price of \$23.07/ton for brush, logs, stumps and woodchips and \$20.79/ton for leaves. Acct No.0140 42 5299.

5. Approve the technical correction of Item VII. D.5. of the Common Council meeting of June 14, 2011:

a. As authorized on June 14, 2011:

Authorize the Mayor, Richard A. Moccia, to execute an Agreement with DW Transport and Leasing, Inc., for Project No., 3046, to provide Transportation and Disposal of Street Sweepings/Catch Basin Grit, Excavated Material and Broken Structural Concrete for a FY 2011-12 price of \$31.94/ton; FY 2012-13 price of \$32.90/ton; and FY 2013-14 price of \$33.89/ton. Account No. 0140 42 5299.

b. Technical correction for approval:

Authorize the Mayor, Richard A. Moccia, to execute an Agreement with DW Transport and Leasing, Inc., for Project No., 3046, to provide Transportation and Disposal of Street Sweepings/Catch Basin Grit, Excavated Material and Broken Structural Concrete for a FY 2011-12 price of \$31.94/ton; FY 2012-13 price of \$32.90/ton; and, FY 2013-14 price of \$33.89/ton. The Agreement may be extended for up to three (3) one – year extension terms based on unit pricing stated in bid documents. Account No. 0140 42 5299.

8. Approve the technical correction of Item VII.D.3. of the Common Council meeting of June 14, 2011:

a. As authorized June 14, 2011:

Authorize the Mayor, Richard A. Moccia, to execute and amendment to the agreement with A & J Construction for Project No. PM 2011-1 Proposed Pavement management Program for the sum not to exceed \$2,000,000.00. Acct. Nos. 09 11 4021 5777 C0021; 09 12 4021 5777 C0021; 030000-2602; 09 11 4021 5777 C0318; 09 12 4027 5777 C0302.

b. Technical correction for approval:

Authorize the Mayor, Richard A. Moccia, to execute and amendment to the agreement with Alcaide, Inc. for Project No. PM 2011-1 Proposed Pavement management Program for the sum not to exceed \$2,000,000.00. Acct. Nos. 09 11 4021 5777 C0021; 09 12 4021 5777 C0021; 030000-2602; 09 11 4021 5777 C0318; 09 12 4027 5777 C0302.

B. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with NAC Industries Inc., Oxford, CT for the renovation the Fire Services Building at 100 Fairfield Avenue for a total not to exceed \$77,000.00. Acct. #09113110-5777-C0466

1b. Authorize the Office of Building Management to issue Change Orders on Contract for a total not to exceed \$7,700.00.

2. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Yankee Gas Services Company for the installation of a new gas service at 100 Fairfield Avenue, necessary to provide gas for the relocation of the fire station from Volk Fire Headquarters. The cost for the new service shall be for a total not to exceed \$16,233. Acct #0911/10-3110-5777-C0466

3. Authorize the Mayor, Richard A. Moccia, to execute a Lease Agreement with Western Connecticut Convention & Visitors Bureau for the Gate House at Mathews Park. Terms of the Agreement shall include:

- Use – Tourism Center. Sublease limited to tourism and cultural related uses only. Terms of sublease agreements will be subject to approval by the Common Council and Historical Commission.**
- Lease Period – One year with 30 day termination clause for both parties.**
- Lease Amount – \$5/ years plus \$2,000 security deposit with Lessee responsible for all utilities and building operating expenses.**

C. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE

THE FOLLOWING ITEM IS TABLED BACK TO COMMITTEE FOR REVIEW.

1. Authorize the Mayor, Richard A. Moccia, to enter into an agreement with the TPA Design Group RFP #3033 – Creation of a Comprehensive Master Plan for Veteran’s Park for a sum not to exceed \$30,000. Account #09096030-5777-C0367.

D. PLANNING COMMITTEE

3. Approve the Housing Authority’s application to the federal Section 3 Program Coordination and Implementation Program to be consistent with the City’s current Consolidated Plan and approve the Mayor to execute the required Certificate of Consistency.

4. Approve the Norwalk Housing Authority’s application to the federal 2011 Capital Fund Education and Training Community Facilities (CFCF) Program to be consistent with the City’s current Consolidated Plan and approve the Mayor to execute the required Certificate of Consistency.

5. Authorize the City acting through the Norwalk Redevelopment Agency to submit an application for a Transit-Oriented Development Pilot Program Grant in the amount of \$500,000 to fund the design and engineering of pedestrian access and streetscape improvements as recommended by the Transit Oriented Development Master Plan for the South Norwalk Railroad Station Neighborhood.

6. Authorize the Mayor to execute all documents required to advance the application and the Redevelopment to administer the grant.

VII. COMMON COUNCIL COMMITTEES

A. PUBLIC WORKS COMMITTEE

6. Authorize the Mayor, Richard A. Moccia to sign the Resolution for the Reconstruction of Rowayton Avenue at Metro-North Railroad Bridge.

Mr. Conroy read the resolution as follows:

RESOLUTION

Reconstruction of Rowayton Avenue at Metro North Railroad Bridge

WHEREAS, the City of Norwalk has conducted public information meetings regarding the proposed project for the “Reconstruction of Rowayton Avenue at Metro North Railroad Bridge” (ConnDOT Project No. 102-340); and

WHEREAS, the City of Norwalk, CT has published a legal notice display ad, mailed a news release to multiple officials and agencies, and mailed a formal letter to abutting property owners, announcing the latest public informational meeting on the proposed project; and

WHEREAS, the most recent public informational meeting was held on April 13, 2011 from 7:00 PM to 8:30 PM in City Hall, at which residents and elected officials had the opportunity to voice their concerns; and

WHEREAS, the South Western Regional Planning Agency has endorsed this project; and

WHEREAS, the Norwalk, CT Common Council has considered the concerns of residents from the public informational meetings and finds that the proposed project, Reconstruction of Rowayton Avenue at Metro North Railroad Bridge No. 4132R (ConnDOT Project No. 102-340) is in the best interest of the City of Norwalk, CT and will promote the health, safety and general welfare of its residents and provide for the convenience and safety of the motoring public and pedestrian traffic. The City will continue to address the concerns of residents and other interested parties as design development of the project proceeds.

NOW THEREFORE, the City of Norwalk, CT based on the above information, and by virtue of this resolution, hereby fully supports the proposed project, with the understanding that further review of this project is required when project plans are at 50 percent and that the Common Council must approve those plans.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Norwalk, Connecticut, this ____ day of _____, 2011.

Richard A. Moccia
Mayor of the City of Norwalk, CT

Mr. Conroy gave an overview of the background on the item and stated that this goes back to the 1990s under the Council members of Randall Avery and Grace Lichtenstein where the City was asked to make repairs for pedestrian safety, but declined due excessive costs. He continued that under the involvement of Dick Linnarts, the project resurfaced and got support from the state with additional clearance above the 12 feet height.

He stated that this project has been thoroughly vetted through Committee and involvement by the DPW, Metro North DOT as well as public information sessions held at each step of the approval process.

Mr. Hempstead thanked Mr. Conroy for his thorough review and historical explanation along with the follow-through, due diligence. He added that the City has invested a tremendous amount of work and due diligence with the work in progress, and he strongly recommends approval.

Ms. Lindstrom asked if the end of the resolution should include language that requires further review before plans are final, as that is what had happened for the East Avenue project.

Mr. Alvord stated that the state permits additional language relative to final work, however this cannot be an accurate comparison to East Avenue as there has been work in progress with the design development and continual adjustments to accomplish safety goals. Ms. Lindstrom added that this sets the project in stone with no room for changes with the state, and Mr. Alvord replied that in reality hundreds of changes actually are made to meet mandated site line distance and federal safety standards.

Mr. Kydes thanked Mr. Conroy and Mr. Alvord for job well done and stated that in contrast to East Avenue, safety issues have resulted in adjustments to the work in progress. Ms. Lindstrom added that the East Avenue project was not on the agenda, and Mayor Moccia asked Mr. Kydes to keep his comments relative to the Rowayton Railroad Bridge.

Ms. Straniti stated that she also wanted to thank Mr. Conroy, and she shares the concerns of Ms. Lindstrom as she has not heard from residents on the issues. She added that at this point she is not convinced that the project has not addressed all the issues, and she would be abstaining from a vote.

Mr. Tobin stated that there has been more conflict with this project and it has nothing to do with East Avenue as the height is twelve feet not fourteen.

Mayor Moccia stated that he appreciates all the hard work done by the Committee and DPW and there is a lot of work to be done. He added that in reply to the public comment, the dollar amount of this project will not go far in helping the state fix their budget problems.

Mayor Moccia called for a roll call vote.

**** MR. CONROY MOTIONED TO AUTHORIZE THE MAYOR, RICHARD A. MOCCIA TO SIGN THE RESOLUTION FOR THE RECONSTRUCTION OF ROWAYTON AVENUE AT METRO-NORTH RAILROAD BRIDGE.**
**** THE MOTION PASSED WITH SEVEN VOTES IN FAVOR, (BONDI, TOBIN, HEMPSTEAD, BONENFANT, KYDES, MOUNT, CONROY) THREE OPPOSED (HILLIARD, JAEGER, SIMMS) AND THREE ABSTENTIONS (LINDSTROM, ROMANO, STRANITI)**

7. Approve the technical correction of Item VII. D. 1. as authorized at the Common Council meeting of June 14, 2011:

Mr. Conroy read the correction as follows:

b. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Almstead Tree and Shrub Care, LLC for the supply and planting of trees and shrubs for an amount not to exceed \$60,000 per year. The Agreement to have a base period of three (3) years with two (2) one-year option periods. Account No.09 08 4021 5777 C0233;09 12 4021 5777 C0233; 09 09 6030 5777 C0370; 09 12 6030 5777 C0370.

Mr. Hilliard asked about the two one-year options and Mr. Alvord to come forward to address the Council and replied that the pricing in the RFP was in the bidding environment and is not significant change; therefore there is no exercising of the options.

- ** MR. CONROY MOTIONED TO APPROVE THE TECHNICAL CORRECTION AS AUTHORIZED AT THE COMMON COUNCIL MEETING OF JUNE 14, 2011 TO AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AGREEMENT WITH ALMSTEAD TREE AND SHRUB CARE, LLC FOR THE SUPPLY AND PLANTING OF TREES AND SHRUBS FOR AN AMOUNT NOT TO EXCEED \$60,000 PER YEAR. THE AGREEMENT TO HAVE A BASE PERIOD OF THREE (3) YEARS WITH TWO (2) ONE-YEAR OPTION PERIODS. ACCT NO.09 08 4021 5777 C0233;09 12 4021 5777 C0233; 09 09 6030 5777 C0370; 09 12 6030 5777 C0370.**
- ** THE MOTION PASSED WITH TWELVE VOTES IN FAVOR AND ONE OPPOSED (HILLIARD).**

D. PLANNING COMMITTEE

1. Deny 1-year extension as requested by POKO-IWSR Developers, LLC (Redeveloper) on March 21, 2011.

Mr. Kydes recused himself due to a conflict and left the Council Chambers at 9:12 p.m.

Mr. Hempstead presented the item and gave an overview of the background stating that although the Developer has now complied with the request for information, it did take four months to receive all the required documents. He asked Mr. Sheehan from the Redevelopment Agency to come forward to address questions. Mr. Jaeger asked what the purpose of approving only a six month extension when in reality more time will be needed to accomplish the entire public infrastructure that is necessary. Mr. Sheehan replied that it was the goal of the Committee and the agency to keep the developer on a "short leash". Mr. Jaeger added that the possibility that the current Council members may not be here and if this comes back for another extension, the project may not move forward. He asked if the Council is willing to kill the project if it comes back in six months for another extension. Mr. Hempstead replied that the Committee felt it was important to have check points built into the process to ensure that all remains on track with the closing procedures.

- ** MR. HEMPSTEAD MOTIONED TO DENY THE 1-YEAR EXTENSION AS REQUESTED BY POKO-IWSR DEVELOPERS, LLC (REDEVELOPER) ON MARCH 21, 2011.**
- ** THE MOTION PASSED WITH TEN VOTES IN FAVOR, (BONDI, TOBIN, HEMPSTEAD, BONENFANT, KYDES, LINDSTROM, MOUNT, CONROY, ROMANO, STRANITI) THREE OPPOSED (HILLIARD, JAEGER, SIMMS)**

2. Approve a six month extension to September 21, 2011

**** MR. HEMPSTEAD MOTIONED TO APPROVE A SIX-MONTH EXTENSION TO SEPTEMBER 21, 2011.**

**** THE MOTION PASSED WITH EIGHT VOTES IN FAVOR, (BONDI, CONROY, HEMPSTEAD, KYDES, LINDSTROM, MOUNT, ROMANO, STRANITI) FIVE OPPOSED (TOBIN, BONENFANT, HILLIARD, JAEGER, SIMMS)**

Mr. Kydes returned to the Council Chambers at 9:22 p.m.

VIII. RESOLUTIONS FROM COMMON COUNCIL – None

IX. MOTIONS POSTPONED TO A SPECIFIC DATE - none

X. SUSPENSION OF RULES- none

XI. ADJOURNMENT

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

The meeting was adjourned at 9:24 p.m.

Respectfully submitted,

Marilyn Knox,
Telesco Secretarial Services