

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 those present to remain standing.

Mayor Moccia stated he has received very sad news involving the family of Lt. Conte of the Fire Department, whose two-year old child passed away, and on behalf of the City, he extended his condolences and deepest sympathies to the family.

Mayor Moccia stated that he also wanted to acknowledge, the 3 students who died on Monday at the tragic shooting at the Chardon High School in Ohio, and requested that a moment of silence be held for this and the Conte family.

I. ROLL CALL

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

Council at Large:	Anna Duleep	Mr. Douglas Hempstead	Mr. Fred Bondi
	Warren Peña	Ms. Joanne Romano	
District A:	Mr. Matthew Miklave	Mr. David Watts	
District B:	Mr. Carvin Hilliard	Mr. Michael Geake	
District C:	Mr. Nicholas Kydes	Ms. Michelle Maggio	
District D:	Mr. Bruce Kimmel	Mr. Jerry Petrini	
District E:	Mr. John Igeneri	Mr. David McCarthy	

Mayor Richard A. Moccia; Attorney Robert Maslan, Corporation Counsel;
Erin Halsey, City Clerk
Fifteen members were present.

II. ACCEPTANCE OF MINUTES
Regular meeting – February 14, 2012

Ms. Duleep noted on page 2 under Public Comments to correct the spelling of the names of Mary Beth Baker to Parker, and Wallerstein to Wallenstein.

**** MR. BONDI MOTIONED TO APPROVE THE MINUTES FROM THE FEBRUARY 14, 2012 MEETING AS SUBMITTED.**
**** THE MOTION PASSED UNANIMOUSLY.**

III. PUBLIC PARTICIPATION

Mayor Moccia stated that there were many names on the sign-up for public comments, and normally there was a fifteen minute time limit for public participation. He asked for a motion to go beyond this time limit.

**** MR. MIKLAVE MOVED TO SUSPEND THE RULES TO EXTEND THE TIME LIMIT FOR PUBLIC PARTICIPATION TO GO BEYOND FIFTEEN MINUTES. ****
**** THE MOTION PASSED UNANIMOUSLY. ****

Mayor Moccia stated the rules for public comment and asked those that had signed up to speak to state their name, affiliation and to keep comments only as related to the agenda to a limit of three minutes. He also asked the Council members to refrain from responding to public comments, as there is not to be an exchange or dialogue at this time, but that replies to questions can be made at the time that the item is presented on the agenda. Mayor Moccia asked for comments to be kept civil in nature and to be made with respectful of others.

Public Comments are not verbatim but represent summarizations of comments made.

Public Comments

1. Mr. Tim Callahan stated that he is the Director of the Health Department and was here to speak on item 4, the resignation and appointment to the Board of Health. He gave an overview of the accomplishments of Dr. McNamara and stated that he created relationships with nationally recognized institutions and universities and provided the City with expert direction on public health issues to lead the City with programs and policies of high standard. He reviewed the impact that Dr. McNamara had on health ordinances to put in place safeguards for many public health issues regarding immunizations, clinics, and recent ordinances including the safeguards on Tanning establishments to protect young teens from skin damages. He stated that while his resignation is accepted with regret he has recommended a replacement who represents the same level of professionalism with her credentials, experience and many accomplishments in the public health field. He stated that he strongly supports Dr. Karpiak as the ideal candidate for appointment on the Board of Health.

2. Jean St. Sarin (signed up to speak, but did not come forward when called)

3. Mr. Steve Colarossi stated that he currently serves as chairperson of the Board of Education Finance Committee and urged the Council to support the budget for education. He reviewed the numbers and stated that it is a same services budget on top of zero percent increases of prior years, while encompasses additional \$1 million in health care improvements. He asked the Council to please do their part to support the recommended budget from the Board of Education.

4. Mr. Steve Forcier, 21 Main Street, Norwalk stated that he was an employee with the Department of Public Works and wanted to speak on the impact of privatization of garbage collections. He explained that private companies care only about the bottom line and to make a profit, rather than the City workers that support families and clean the City by doing a good job

with dedication. He added that the Department should cut the dead weight with upper management rather than cut the workers as that is where it can save money. He gave examples of unnecessary expenditures with administrator's vehicle expenses and they do not live in Norwalk, and they would rather cut workers to make the department shine in a good light.

4. Mr. Terrence Fuller stated he was representing Local 2405 and he gave an overview of his family ties to Norwalk and his background, where he and fellow workers take pride in their work because of their vested interest in the City. He added that sanitation is most important and they perform this task timely and they value all residents and perform their jobs with a level of dedication and safety, here management wants them to fail to better their bottom line. He added that the system is not broken and does not need to be privatized as that leads to problems with poor services. He asked what would be next, and that all services would be outsourced, as opposed to dedicated workers that support a clean-green City, which is a former program that should be brought back.

5. Mr. Jeffrey Spahr, 32 Stonybrook Road, Norwalk stated that he has worked as Assistant Corporation Counsel for the past twelve years and is a native Norwalker, but he is here tonight as his most important role as a parent. He stated that special needs is an area that needs to be fully funded and explained how the City had put programs in place to address physical disabilities, yet not the same emphasis is given to the silently handicapped. He added that mental and learning disabilities and handicap access building improvements, yet they are reluctant to support the mentally disability programs that are so essential, especially in education. He urged the Council to support the education budget to ensure that Special Education programs are fully funded with appropriate services for the children.

7. Mr. Scott Phelan, 13 Branford Street, stated that ne strongly supports keeping the Norwalk Museum open. He stated that he has been a DPW employee for 14 years and this affects him as a taxpayer and feels that there is initial savings, but what happens when the profit becomes the driving force. He stated that this has happened with recycling and the waste treatment plant and it is only a matter of time that it will do again when the services are done for profit. He suggested to continue to keep the city services to maintain control and to look at cost savings elsewhere.

8. Mr. John Hiscock, stated that he was with the SNEW and was here to speak on the item for street lighting in the Second Taxing District. He stated that there needs to be a process with formal procedures to address lighting requests for the City. He stated that the SoNo Alliance has taken this on and has a list of very vague items including terms such as dim and improved. He requested the Council to approve a change in to outline clear procedures and requested that they table any action tonight until such process can be worked out that addresses such changes.

9. Mr. Peter Bondi, 15 Princess Pine Road stated that he is here as Chair of the Historic Commission and wanted to thank those that came out for last week's meeting where he heard the energy and passion of residents who supported the Norwalk Museum. He stated that it is an important reminder to the Council to continue to fight, and the petition with signatures is growing in support. He stated that \$216,000 is such a small fraction and small price to pay to maintain the heritage and historical distinction along with tourism boost to maintain the museum.

He stated that the relocation plan is flawed, as there is no storage capacity at the Lockwood House, which was to have been rented as part of the original agreement to offset the expenses, rather than being used to house the Fire Department administrative offices during their 2 year renovation. He asked the Council to work on renegotiating the lease to allow the Historic Commission to work out a business plan as recommended by the Curator that includes grants and educational objectives, programs and events that will sustain the Museum. He asked for the City's help to eliminate the restrictions that have been a hurdle for the Museum to overcome.

10. Mr. Mark Robinson, 16 Knob Hill Road, Norwalk, stated that once again he sees history repeating itself with budget cuts and teachers against taxpayers, and he has suggested this before how important it is to have multi-year budgeting for the Board of Education and to combine the public balance of City services with the BOE requests. He urged the Council to consider incorporating a multi-year approach to address the impact of the City's budget with taxes.

11. Mr John Mosby, stated that he was a brother in partnership with the DPW workers and stated that there are laws to protect the workers and the Council should be made aware of the dangerous territory they are encroaching on. He added that privatization does not pay taxes, that the workers do and he will stand shoulder to shoulder and support whatever is needed to protect the DPW workers.

12. Ms. Donna Rastocky, NFEP, 33 Olmstead Place stated that she was President of the NFEP and was here to encourage full support of the Education budget. She stated that services have been cut and following three years of no salary increases amidst the total budget the cuts impact on the lowest paid, the secretaries, librarians and those that provide support services. She added that these cuts impact on the children where classroom aides are not able to cover the additional student services, and this tarnishes the reputation of the school district. The impact is one that has a negative effect on the City, where there is a need for more services, Norwalk students get less. She urged the Council to fully fund the recommended education budget.

13. Mr. Milton Giddiens, 36 Lenox Avenue stated he was representing the Local 2405. He stated that he proudly represents the workers of the DPW and gave an overview of recent budget cuts where one person does 5-6 different jobs and have made sacrifices over the years. He stated that we get it, providing a high level of service is number one and what we do is provide a clean city. He encouraged the Council not to approve privatization of garbage collections.

14. Ms. Suzanne Koroshetz, 27 Ravenwood Road and Brien McMahon High School Principal, stated that is a resident of Norwalk and parent of two children that were fortunate to go through the Norwalk public school system and on to graduate from top universities.

She stated that she was here to speak about the approval of the Cap for the 2012-13 Budget as it relates to Board of Education funding. She stated that we're at a tipping point... we're at a place that if you close your eyes, we're going to be that school system that you don't want Norwalk to become.... You get to a point where you can't do things smarter, better or faster ... I ask you please to fund the operating budget of the BOE and I thank you for your time tonight.

15. Mr. Elio Longo, stated that he was CFO of the Norwalk Public Schools and gave his background that included both municipal positions and nearby school districts and can appreciate both sides of

this budgeting dilemma. He stated that the Board of Education has identified cost savings with health benefits but is also rectifying under budgeting situations and as a result has been able to put together a same services budget with a modest 6.8% increase. He stated that to reduce this to the 3.5% recommendation by the City Finance Department results in a \$5 million cut, which added to state mandated programs, adds further reduction in programs. He requested the Council to fully support the Superintendent's recommended budget.

16. Attorney Frank Zullo stated that he was representing the Second District and that the issue with lighting replacement is based on misinformation. He explained that according to the Charter, the District cannot react to neighborhood groups, and the charter abides the need for a formal specific list of needs and repairs, along with guidance from the Council. He added that the District will abide with this and will comply with the procedures as outlined by the Council.

17. Dr. Lynne Moore, Principal of West Rocks Middle School, 813 Foxboro Drive, stated that she wanted to urge the Council to support the Education Budget, and shared her feelings of peace during a recent recess where it was a beautiful sight to witness the children at play. She added that the staff and support staff continue to be the hardest working people, both before and after all these budget cuts and amidst funding uncertainties, they continue to their passion for education. She stated that programs are underfunded in many areas, where the only after school programs are from the Carver Center and homework clubs are the only programs that provide transportation. She added that Education-Council ad-hoc committees have not been put into effect as promised by previous city leaders. She wanted to thank Councilman Watts and Igeri for meeting with Mr. Longo to gain a greater understanding of the budget and to Mr. Hilliard for his willingness to set a cap that meets the needs for education. She urged the Council to follow their platform, to keep DPW workers and the Norwalk Museum and to please support education for the children of Norwalk—their future is at stake.

18. Dr. Susan Marks, Superintendent of Norwalk Public Schools stated that she wanted to thank those who just spoke and stated that they so eloquently captured the issues from Special Education to ECS funding and the challenges that face the Board of Education. She stated that it takes a high quality team to teach in today's world and to bring students to the goal of college ready takes a district not only financial support to educate, but support from various stakeholder groups to educate, develop and train teachers with the newest technology, and you have to be transparent with efficient processes. She urges the Council to keep the resources at the school level with teachers and support staff to maintain a high level district that will enhance the City not only for the reputation of high level education that appeals to families for their children but for the positive impact it brings to business and industry.

19. Corinne Weston, 15 South Street, Norwalk stated that she represents the SoNo Alliance Neighborhood Association on the street lighting issue in the Second Taxing District. She stated that this issue has taken two years and four meetings to get lights that are so desperately need for the public safety. She added that Police have reported that they cannot see in areas where there it is known to be security problems and crime, but nothing is being done to correct the problem. She urged the Council to please do something, and to do it quickly. It has taken too long and the public safety is at stake.

20. Mr. Drew Todd, 19 Friendly Road, Norwalk stated that he is here as President of Wolfpit Elementary School to support the superintendent's recommended budget. He stated that the district

does not move forward by going backwards in funding and asking for support takes positive momentum that starts tonight. He urged the council to move ahead for education.

21. Ms. Angel Pia, 7 Lakeview "Drive, stated that she is a CPA, but is here tonight in her more important role as MOM. She stated that as a parent of young children she continues to struggle with the issue of staying in Norwalk or moving to a district that supports education. She urged the Council to fully fund the education budget.

22. Mr. Bruce Mellion, 9 Mott Avenue, President of the NFT, stated that 6.8% increase to the education budget is needed following two years of zero increase and a 2.3% increase of last year. He stated that there are no new programs, and the Finance Department has already made reductions of 2.3 million before sending this budget to the City. He added that if the 6.8 that is needed turns into 3.5%, \$5 million in reconciliations will need to be done, after \$2.3 million cuts for a third year in a row. This \$5 million will impact educational and mandatory programs and the district will suffer. He urged the Council to do the right thing and adequately support education funding.

23. Ms. Meghan Hopkins, 1 McAllister Avenue, stated that she is a parent in the school system and to retain families should be one of the goals of the City. She stated that she has considered leaving Norwalk but has chosen to remain and grow their family here. She hopes her children will compete to get into the state universities to develop into strong citizens.

24. Ms. Jean Phillips, 7 Nolan Road, Norwalk, stated that she has questioned staying in Norwalk or to be a part of the "flight" up the line to get to one of the "Ws" or to a private school. She urged the Council to fully and adequately support education funding and protect the future of the City

25. Mr. David O'Malley, 35 Hunt Street, Norwalk stated that he was here to speak and support the education budget. He stated that high tech companies feel that Norwalk has only a 10-15 year life as a City for family growth as the impact of not fully funding education has created a negative reputation and is known as the worse area for education in Fairfield County.

26. Ms. Margaret Watt, 40 France Street stated that she was here to urge support of the education budget. She stated she has two young children, and Norwalk is losing young families as we are stuck in recession with declining home values and now declining support for schools.

She stated that Kindergarten teachers ask parents to help fund supplies, there are unsafe playgrounds, there is a lack of social skills for students that need support for special needs, there are no after school programs or clubs and all this negatively affect the school district. She stated that as Jeffrey Spahr spoke earlier, mental disabilities are not as visible as physical handicaps, and a difference can be made if the students are reached early in their school years. She encouraged the Council to fully fund education and to support those with special needs early, and this will pay back in the future.

27. Ms. Corrine Sweitzer, Rowayton School PTA, 33 Flicker Lane, Norwalk stated that she supports fully funding the education budget. She added that schools are in need of improvement, and not to address this has a negative impact on the children and the City.

28. Ms. Barbara Connors, 246 New Canaan Avenue, spoke in support of the school budget. She asked to do what is right for special needs children and to not fully education hurts the future of the City as well as the country.

Following the last comment, Mayor Moccia asked if there was anyone who wished to speak on an agenda item, and hearing none, stated the public participation of the meeting was closed at 9:35 p.m.

Mr. Hempstead requested a recess. The meeting was recessed at 9:35 and reconvened back into public session at 9:45 p.m.

MAYOR:

The Mayor thanked the public for their politeness and passion in speaking about the issues and that he appreciated all of their comments. He also requested that the Council be respectful to each other just as the public was when they were speaking.

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS: John R. McNamara, Board of Health Commission

APPOINTMENTS: William Michael Harden, Parking Authority
Janet W. Karpiak, MD, Board of Health

Mayor Moccia stated that as stated by Mr. Callahan, Dr. McNamara's contributions to the Board of Health are duly noted, and he accepts his resignation with regret.

**** MR. BONDI MOVED TO ACCEPT THE APPOINTMENT MR. MICHAEL HARDEN TO THE PARKING AUTHORITY FOR A TERM TO EXPIRE ON 03/31/16.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** MR. HEMPSTEAD MOTIONED TO APPROVE THE APPOINTMENT OF JANET KARPIAK, M.D. TO THE BOARD OF HEALTH, WITH A TERM TO EXPIRE ON 12/01/2012**

**** THE MOTION PASSED UNANIMOUSLY.**

MAYOR'S REMARKS: Mayor Moccia thanked the speakers tonight for their politeness

Mayor Moccia stated that members of the Council have scheduled Community Conversations to invite the public to a question/answer forum to discuss issues that affect the City. He stated that the first will be February 29 at the Norwalk Library

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS

B. CONSENT CALENDAR:

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

VII.A.1, VII.B.1a., VII.1b, VII.2, VII.3., VII.4.a., VII.4b., VII.5., VII.1.C., VII.1. VII.2., VII.3., VII.4., VII.5., VII.6., VII.7., VII.8., VII.9., VII.10., VII.D., VII.1a., VII.1b., VII.2a., VII.2b., VII.3a., VII.3b., VII.4a., VII.4b.

**** THE MOTION PASSED UNANIMOUSLY.**

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

VII. COMMON COUNCIL COMMITTEES

B. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE

- 1a. **Authorize the Mayor, Richard A Moccia, to execute any and all documents necessary to apply for and accept grant funds from the National Association of Chronic Disease Directors for the ACHIEVE initiative in the amount of \$88,000 for the period January 31, 2012 through September 28, 2012.**
- 1b. **Authorize the Mayor, Richard A Moccia, to execute any and all agreements, documents, instruments or amendments as may be necessary to implement the ACHIEVE initiative.**
2. **Authorize the Purchasing Agent to execute a purchase order, on behalf of the Norwalk Police Department, to Motorola, under State Contract #A-99-001, for the purchase of fifty seven (57) Encrypted Motorola XTS2500 radios, chargers, and back up batteries not to exceed \$121,234. Account #35309A-5743**
- 4a. **Authorize the Mayor, Richard A. Moccia to execute any and all documents necessary to apply for and accept funds from FEMA Department of Homeland Security for FY 2011 Port Security Grant Program (PSGP) in the amount of \$79,000.00.**

Consent Calendar -- continued

B. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE (cont.)

The Fire Department will be appropriated \$60,000.00 for CBRNE, Chemical, Biological, Radiological, Nuclear and Enhanced Conventional Weapons detection equipment and electronics to be installed in the marine vessel under construction by North River Boat, Inc. The balance of the grant will be appropriated to the Police Department.

- 4b. **Authorize the Mayor, Richard A. Moccia to execute the first Amendment to the North River Boat, Inc. agreement. This amendment shall amend and revise that North River Boat, Inc. Agreement executed on October 25, 2011 and incorporate additional grant funds from FEMA Department of Homeland Security for FY 2011 Port Security**

Grant Program (PSGP) in the amount of \$60,000.00 of \$79,000.00 available from the grant. Total amount of grant funds available to this project for the construction and fit-up of the marine vessel not to exceed \$660,000.00. Note this project is 100% funded. Acct. 09113110-5799-C0505.

C. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE

2. Authorize the Mayor Richard A. Moccia to enter into an agreement with the Marching Bears Inc. for the use of Andrews Parking Lot for a Carnival to be held Friday – Sunday, June 15, 16, 17, 2012 from 2:00 PM – 8:00 PM. In the event that Norwalk High School Graduation does not take place on Thursday, June 14, 2012 the Norwalk Bears will host the Carnival on Thursday, Friday and Saturday (Not Sunday). Set up to take place on Wednesday, June 13, 2012 with tear down no later than Noon on Monday, June 18, 2012. Estimated attendance 1,000+.

3. Authorize the Mayor, Richard A. Moccia to enter into an agreement with the Fairfield County Concours d’Elegance for the use of Mathews Park for the annual Fairfield County Concours d’Elegance to be held Friday, September 14, 2012 from 6:00 PM – 9:00 PM, Saturday and Sunday, September 15, 16, 2012 from 7:00 AM – 4:00 PM. Set up to take place Thursday, September 13, 2012 with tear down no later than Noon on Monday, September 17, 2012. Estimated attendance 2,000 – 5,000.

4. Authorize the Mayor, Richard A. Moccia to enter into an agreement with Girl Scouts of CT for the use of Taylor Farm for a “Round-Up 2012” to be held Friday, Saturday and Sunday, September 7, 8, 9, 2012. Set up to take place Friday, September 7, 2012 at 3:00 PM with tear down no later than Noon on Monday, September 10, 2012. Estimated attendance 1,000.

Consent Calendar – continued

B. RECREATION, PARKS, CULTURAL AFFAIRS – continued

5. Approve the use of the Show Mobile by the Norwalk Hospital Foundation for the Whittingham Cancer Center “Walk and Sally’s Run” to be held Saturday, May 12, 2012 from 8:00 AM – 2:00 PM.

6. Authorize the Mayor, Richard A. Moccia to apply and accept grant funds through the State of Connecticut Department of Environmental Protection (Installation - Upgrade Purchase/Operation and Maintenance of a Marine Sewage Disposal Facility 2012 Funded through the Federal Clean Vessel Act. The grant will fund 75% purchase of new pump out station as well as yearly department operation expenses. Total cost \$22,457.50, reimbursable \$16,843.00. Cities 25% \$5,614.00 paid out of accounts 016034-5130 and 016031-5585.

7a) Authorize the Mayor, Richard A. Moccia to enter into an agreement with the

Leukemia and Lymphoma Society for the “Light the Night” event to be held at Calf Pasture Beach on Friday, October 26, 2012 from 5:00 PM – 10:00 PM. Set up to take place at 9:00 AM Friday, October 26, 2012 with tear down no later than Noon Saturday, October 27, 2012. Estimated attendance 600.

7b) Approve the use of the Show Mobile by the Leukemia and Lymphoma Society for their “Light the Night” event to be held at Calf Pasture Beach on Friday, October 26, 2012.

8. Authorize the Mayor, Richard A. Moccia to enter into an agreement with the Child Guidance Center of Mid-Fairfield county for the use of Calf Pasture Beach to host their 2nd annual “Bike and Run” to be held Sunday, June 3, 2012 from 6:00 AM – 3:00 PM. Estimated attendance 250.

9. Approve the 2012-2013 Department Fees and Charges for Facilities, Parks and Programs.

10. Authorize the Director, Recreation and Parks to issue a change order to contract with Bangor Abatement Inc., Project #3079 Lead Paint Abatement – Fodor Farm Homestead Dwelling for lead abatement for an additional sum not to exceed \$15,900.00. Account #09126030-5777-C-0462.

D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1a. Authorize the Mayor, Richard A. Moccia, to execute an Amendment to Newfield Construction, Inc.’s Norwalk Fire Headquarters construction contract for a Guaranteed Maximum Price (GMP) in the amount of \$12,975,506. Acct #'s: 09123110-5777-C0466 Fire Dept.; 09080600-5777-C0375 IT Dept.; 09090660-5777-C0375 IT Dept.; 09100600-5777-C0375 IT Dept.; EOC State Grant –TBD

Consent Calendar – Continued

D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1b. Authorize the NFCC to issue change order on contract for a total not to exceed \$538,658.

2a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Main Enterprises, Inc. for DPW Administration Building Air Conditioning Chiller Replacement Project for a total not to exceed \$194,980.00. Funds are available from accounts #09107100-5777-C0119 and #09074071-5777-C0387.

2b. Authorize the Office of Building Management to issue change orders on Contract for a total not to exceed \$19,498.00.

3a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with New England Energy Management, Inc. for an energy efficient lighting retrofit project in

the garage bay and vehicle maintenance facilities at DPW Garage. Net capital replacement cost to the City after utility incentive shall be \$19,925.16 and the payback period shall be 1.3 years. Acct. #0911/12 7100-5777-C0149

- 3b. Authorize the Office of Building Management to issue change orders on Contract for a total not to exceed \$1,992.00
- 4a. Authorize the Purchasing Agent to issue a Purchase Order to Main Enterprises, Inc. for the installation of a supplement air conditioning unit for DPW Traffic Department server area for a total not to exceed \$15,195.00. Acct. #09117100 5777 C0439.
- 4b. Authorize the Office of Building Management to issue change orders on Purchase Order for a total not to exceed \$1,519.00.

Mayor Moccia stated that in view of the items on the agenda, as a courtesy to those in attendance for non cap related discussion, he suggested that Item 1, the resolution for the proposed cap be moved to the end of the agenda.

- ** MR. MIKLAVE MOTIONED TO MOVE THE ORDER OF THE AGENDA TO HAVE FINANCE/CLAIMS COMMITTEE ITEM A DISCUSSED AT THE END OF THE AGENDA.
- ** MOTION PASSED UNANIMOUSLY.

HEALTH, WELFARE, PUBLIC SAFETY

Authorize to SNEW to comply with public street lighting improvements in designated sections of South Norwalk, for the purpose of improving public Safety, as specified by the Norwalk Police SoNo Alliance Committee.

Mr. Geake presented the item and referred to supporting documentation and stated that he recommends this be sent back to Committee for forwarding o to the Ordinance Committee. He added that there needs to be procedures developed to address needs for lighting and no current process exists.

Mr. Watts stated that he feels the Council should press on to have this resolved and a decision made in response to need for improved safety in the area. He stated that this is a result of two years and meetings coordinated with a great deal of the work done by the Neighborhood Association, and he stated that he applauds Ms. Weston and the work done by the group.

Mr. Kimmel stated that this has been going back and forth from Committee to the District with debates on what is dim and not dim and what constitutes replacement lighting. He added that when public safety is involved, and the Police Department has reported there is a safety problem, something needs to be done, and his fear that this will get tangled up in the process of creating an

ordinance that just takes too much time and does not get the job done. He added that the SoNo Neighborhood Alliance had done some hard work and what was stated two years and four meetings is just a ridiculous statement of the inefficiencies of the local government, and in this case public safety is threatened with higher taxes for safety.

He added that to send to the Ordinance Committee creates a longer process and a mess of more procedures that we do not need. He stated that the Council needs to send direction to the Second District to make this area safe by adding the lighting that is necessary and that in their expertise they can address what is needed.

Ms. Romano stated that the question is that they need to take into consideration that the Police Department is requesting this for public safety for the District.

Mr. Petrini stated that they have heard from the Police Department that they need lights and its time to define what is out and what is dim and what needs to be changed and replaced. He stated that Health, Safety and Public Safety Committee should be able to do this.

Mr. Kydes stated that this makes common sense and it is not a district issue but the City to address the police Department. It is outside of district purview and pocket books, but is a matter of public safety that the City should address through the proper procedures.

Mr. Hilliard stated that he has been aware of the problem since July-August and it is more complicated than replacing light bulbs. He added that he agrees with Mr. Geake that it is important to address this in the proper procedure and to do it right the first time and to fix the dark spots.

Ms. Duleep stated that she disagrees with Mr. Kydes and that it is our responsibility and requested Mr. Maslan to address the question of this is in compliance with the Charter.

Attorney Maslan replied that in section 44 items in this nature are interpreted to be the taxing district responsibility and not the Council and it does not need the Council to refer it to committee to address. He stated that the taxing district has the expertise on technical matters and it is the most expedient response for the taxing district to address this in a responsible manner.

Mayor Moccia added that there is a distinction between maintenance and new lighting installations and based on Corporation Counsel this should be left up to the district.

Mr. Kimmel added that it is laid out in the Charter clearly and he referred to sections 86.1 and 85.4 where procedures outline what has to be done and this matter does not to be tied to a new ordinance with cumbersome debate, public hearings and the ordinance process.

Mr. Hempstead stated that in view of the bigger issues at hand with the agenda items, we need to move forward with a vote on Mr. Geake's proposal. Mr. Geake stated that the taxing district needs direction from the council to specify the items that have to be addressed and he referred to the recommendations as listed in the packet.

Mr. Igneri stated that he would recommend a motion for the Taxing District to hire a lighting engineer to examine the recommendation and to provide an expert proposal.

Mayor Moccia stated that there was already a motion on the table and he could not recognize Mr. Igneri's motion at this time until a vote was taken on Mr. Geake's motion.

Mr. Watts stated that it is a community and police department issue and that he feels the Council should press on to have this resolved and a decision made in response to need for improved safety in the area. He stated that as he had explained, this is a result of two years and meetings coordinated with a great deal of the work done by the Neighborhood Association, and he stated that he applauds Ms. Weston and the work done by the group. Mr. Watts added that he would not be in support of the motion.

Mr. Miklave stated that he agrees with parts of both arguments and recommends that the council provides direction in favor of a resolution that gives the District to examine and to use their expertise to fix the lighting problem. He added that rather an ordinance, which could take time and procedures, he would prefer to address the issue at hand, and to employ Mr. Geake and the Committee to do its due diligence, look at the process and make a decision on how to fix the situation.

Mayor Moccia called the question on the item:

Authorize to SNEW to comply with public street lighting improvements in designated sections of South Norwalk, for the purpose of improving public Safety, as specified by the Norwalk Police SoNo Alliance Committee.

**** MR. GEAKE MOTIONED FOR THE ITEM TO BE SENT BACK TO COMMITTEE FOR REFERRAL ON TO THE ORDINANCE COMMITTEE TO CREATE AN ORDINANCE THAT OUTLINES A PROCEDURE ON CITY PUBLIC STREET LIGHTING IMPROVEMENTS.**

Mayor Moccia requested a roll call vote.

**** THE MOTION FAILED WITH 2 VOTES IN FAVOR (KYDES, GEAKE) 13 OPPOSED, AND NO ABSTENTIONS.**

**** MR. IGNERI MOTIONED TO AUTHORIZE SNEW TO COMPLY WITH PUBLIC STREET LIGHTING IMPROVEMENTS IN DESIGNATED SECTIONS OF SOUTH NORWALK, FOR THE PURPOSE OF IMPROVING PUBLIC SAFETY, AS SPECIFIED BY THE NORWALK POLICE SONO ALLIANCE COMMITTEE.**

**** THE MOTION PASSED UNANIMOUSLY.**

3. Authorize the Mayor, Richard A. Moccia, to execute any and all documents necessary to approve and adopt new Section 42A-5 of the Norwalk Code of Ordinances, which is entitled, "Approval of Rates and Fees," and will authorize the establishment of a schedule of fees for permits issued by and services performed by the Norwalk Fire Marshal's Office.

Mr. Watts stated that the item was scheduled for public hearing but due to the lack of a quorum

was rescheduled. He requested the item be tabled back to committee.

Mr. Miklave requested a point of order and stated that a motion was required.

- ** MR. WATTS MOTIONED TO SEND THE ITEM BACK TO COMMITTEE FOR COMPLIANCE WITH THE REQUIREMENT TO HOLD A PUBLIC HEARING.**
- ** MOTION PASSED UNANIMOUSLY.**

RECREATION, PARKS, CULTURAL AFFAIRS

Authorize the preparation of a draft Lease Agreement between the City of Norwalk and the Sixth Taxing District for the use of Witch Park with terms reviewed by the Recreation, Parks Cultural Affairs Committee on February 15, 2012. Final draft to be submitted to the Recreation and Parks Committee and thereafter to the Planning Commission for 8-24 Review and to the Common Council for final approval.

Ms. Duleep stated that the item was being tabled back to Committee for further review by the Planning Commission then to come back to the Council.

- ** MS. DULEEP MOTIONED TO SEND THE ITEM BACK TO COMMITTEE FOR COMPLIANCE WITH THE REQUEST FOR PLANNING COMMISSION 824 REVIEW THEN BACK TO COUNCIL FOR APPROVAL.**
- ** MOTION PASSED UNANIMOUSLY.**

Mayor Moccia called for a recess, and the meeting was recessed at 10:15 p.m. and reconvened back into public session at 10:25 p.m.

Mayor Moccia reminded the Council that the purpose of the item under Finance is to set the cap, and that line item approval is not made by the Council, but it is handled by the Board of Estimate and Taxation.

A. FINANCE COMMITTEE

1. **WHEREAS**, Section I-289 of the Norwalk Charter requires that a majority of the Common Council vote to establish a specific spending limitation on locally funded expenditures during the process of establishing the next fiscal year's operating budget.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NORWALK THAT:

The maximum limit on total appropriations for the City of Norwalk for Fiscal Year beginning July 1, 2012 shall be no more than \$286,182,707. This appropriation cap represents total expenditures of \$302,579,054 less estimated intergovernmental grants of \$16,396,347.

Be it further resolved that the result of this vote and resolution, together with the attached 2012-13 Budget Guide, be forwarded by the Clerk of the City of Norwalk to the Board of Estimate and Taxation.

Mr. Hilliard read the resolution and motioned the item for discussion.

He stated that he recommended to fully fund the Board of Education budget. He explained that it has always been one of his key objectives as a Councilman to support education. He stated that the school budget is a great equalizer, and it is very important that we have the resources to educate our kids. He added that a child with an economic disadvantage can rise up with proper education, and that is a basic right as an American versus third world countries.

He stated that to limit education with inadequate funding is setting a low ceiling for the children and if a child is born into poverty he can rise up and overcome when resources are provided to educate kids.

Mr. Hilliard then suggested to put forth an amendment to the resolution to change the cap to represent a 5% increase.

Mr. Kydes stated that he loves education, children can prosper, and it is not a democrat or republican issue, and he does not criticize the right for education, and it is a privilege but it is not right to put children in the middle of such a political debate, as this is a very serious issue. He added that he strongly believes that education starts at home with parents, and the City just can't continue to through more and more tax dollars to education, as it is a shared responsibility. He added that Mr. Hilliard's proposal is outrageous and to add an additional 5% to the taxpayer's burden is irresponsible. He added that nothing is free, the world has limitations and the taxpayers are calling for enough, in fact he has had over 50 emails from his constituents that enough is enough. He stated that we need to be fair taxpayers and to be realistic, the cap is best to stick with the 2% as proposed by the Finance Department to address rising health costs and retirement benefits.

Mr. Kimmel asked that it be stated in the record that he is an educator and he has not had a raise in over three years, and that the issue here is not what the schools get but the budget impact to fully fund the recommended school superintendent's budget. He illustrated that the tax increase for the median household in the fourth district would be \$400 per year, and the Board of Education's modified budget would represent an increase of \$355 per year. He continued that on this same analysis, a 5% increase as proposed by Mr. Hilliard would mean an increase of \$307 per year; but he added that he does respect the argument to fund education. Mr. Kimmel added that he does not recall the increases being this large in his past tenure on the Council, and the major difference is that it is too high and too much of a burden on the taxpayers.

Mr. Kimmel stated that his preference is to endorse what has been presented by the City's Finance Department, and added that they have done an excellent job with the way they have answered all the questions as asked by the Committee. He stated that the Council should adopt the Finance Department's recommendation and to go down as far as 2% is too low and to go above is too high, and he would like to see some compromise.

Mr. Bondi stated that if the state representatives did their jobs with the state and the ECS school funding, we would not have this annual dilemma. He placed responsibility for the local budgetary pressures on Hartford, which he noted provides Norwalk significantly less school aid than it does other communities in Connecticut. He echoed the comments made by Councilman Hempstead every year and stated that Stamford and Norwalk suffer while cities such as Meriden and Waterbury are allocated \$25 million more. He added that our representatives should demand fair and equal treatment. He stated that this has gone on for too long that Norwalk is considered as higher property values and therefore does not stand on equal ground as other cities and receives a disproportionate share of ECS funding.

Mayor Moccia reminded the Council that the task at hand is the setting of the cap.

He added relative to school funding, he placed responsibility for the local budgetary pressures on Hartford, which he noted provides Norwalk significantly less school aid than it does other communities in Connecticut. He echoed the comments made by Councilman Bondi and stated that Lawmakers say, Norwalk is considered as the gold coast and therefore does not stand on equal ground as other cities and receives a disproportionate share of ECS funding, and they do not look at the diversity and affordable housing.

Mr. Watts stated that he fully supports the Board of Education recommended budget and is committed to do all he can to fund education. He added that as a poor person, the only chance he had was to do well in school and with the help of his teachers he learned to escape poverty and was taught that with a book you can go anywhere. He added that with this, he ended up going to Yale. He stated that he understands the issue with ECS and he gets it, but there are many other ways to bring revenue to the City and to support the education and services that the City provides. He stated that many highly paid department heads do not live in Norwalk and that adds up to \$1.2 million that leaves the city and does not bring taxpaying revenue back into the budget. He added that he is against privatization of garbage collection, and that this issue brings back Dr. King's speech from 1968 that the workers are being treated unfairly. He stated that this is Black History Month, and he finds it hard to believe that we are doing now 45 years later that they did then. He stated that he is against the closing of the Norwalk Museum as we need to keep the history of Norwalk here, and to remind ourselves where we have come from. He stated that we need to support our Public Works workers, protect our history and support education, and this budget does not provide that. He added that people deserve more, and he supports the increase that Mr. Hilliard is proposing.

Mr. McCarthy stated that we find ourselves at this budget cap discussion every year and we need to arrive at a number with the cap that seems to place taxpayers versus parents, and this is the wrong way. He added that we need to look at fundamental changes to the way the City develops the budget for more sustaining system of revenues, tax burden, services and expenditures. He shared that he has volunteered at Brookside Elementary School and sees first-hand that the needs that are great with education, and he understands the contractual

commitments of the past and the surmounting financial pressures. He added that there needs to be a top down look as the taxpayers are faced with increases over inflation, and there needs to be a different approach. He suggested that contract changes be negotiated for new hires with some 401k plan not defined benefit packages, as over time, the City just cannot afford these post employment benefit contributions that are now in the millions of dollars.

Ms. Duleep stated that she agrees with many of the points made by Mr. McCarthy and noted that as Mayor Moccia stated this is the preliminary cap setting and that it is up to the Board of Estimate and Taxation to determine the line by line spending plan. She shared her recollection of during her past tenure on the Council when during this same exercise in 2009, the Council voted to raise the cap to support schools, but the BET chose to go lower.

She added that in this case it is a forgotten conclusion and that our goal here should be to encourage the stakeholders and the entities to work on this in totality to reflect the values and needs of our "City. She stated that she agrees with Mr. Kimmel that even a 3.8% increase would not generate what would be needed to get the Superintendent's recommended budget. She added that she rejects the allegation of bi-partisan speculation and seeks support of the Board of Estimate and Taxation and the Mayor, to work with the Board of Education, to look at the process in a different way as this is a flawed basis to tack on a percentage increase in taxes without fully evaluating the entire spending plan. She gave an example of the Department Resources that are dwindling in the case of the Juvenile Revenue Board where a position has been defunded because a grant disappeared, where rather than seek other areas of funding for this valuable position, it is just a consequence of the budget cut. She added that it is unconscionable that the City does not look at the impact of these budget cuts from Hartford and develop other ways to provide the essential services that these positions provide. She stated that we need to take a different approach with the Board of Estimate and Taxation to adequately fund the schools and the essential services for the City.

Mr. Miklave stated that in his former tenure on the Council and tonight, this is his seventh time through the cap setting process and budget cutting debate that pits one group against another. He stated that it is time for a different approach and he would like to provide a perspective for everyone, and he used a chart and two large jars of pennies to demonstrate the relative minimal savings that would be achieved by closing the Norwalk Museum and outsourcing city garbage pick-up. He stated that while the two proposals recommended by the Finance Department are projected to save \$577,000 within the roughly \$299 million draft budget, it is a fraction of a percentage savings. He stated that it is of greater significance to examine where the rest of the \$298 million is spent. He added that education funding represents another insignificant percentage and suggested that given the opportunity, he is convinced he can find \$5 million elsewhere.

Mr. Miklave stated that he would like to discuss the OPEB, other post employment benefit category, and that while he understands it is a municipal guideline to undertake the mathematical approach of following the actuarial recommendation and this is the accepted practice for municipalities. He added that he has challenged the Finance Department to examine what other municipalities are doing, and added that actuarial assessments change year to year and moment to moment, and represents a guess into the future, and with changes in mortality tables, the

numbers change radically and can take on a life of its own. He added that actuarial studies are more “sacrosanct” than the City’s needs and objectives, and that the question is can we pay the promises made when they come due, and when mathematical precision attempts to quantify the “have to fund” it takes from the real needs and put in to what may or may not happen 20-30 years into the future. He stated that so much time has been spent on saving small percentages of the budget without examining how a modern city spends \$300 million. There has been a great deal of rhetoric with language of mistrust and assumptions that the Board of Education is not painfully aware of the budget crisis that faces all of us. He added that all of this does not place emphasis on what the city values in terms of priorities and services and education.

He used another analogy of a line of measure where one foot represents \$100,000 and explained that privatizing garbage collections is two feet, closing the museum is three feet, but the entire budget is a 25 foot tower. He presented a chart that explains the budget elements and stated that the reductions in the DPW and Museum are rounding errors for a budget this size. He stated that the real perspective is that it is not up to the Council to decide the line item cuts and spending, but up to the Board of Estimate and Taxation over these next 98 days. He added that this is why he insisted upon taking time to evaluate the appointments and reappointments to this Board as it is the most important body of the City government. He stated that he cautions the BET to not place emphasis on mathematical issues of benefit fund contributions and to focus on maintaining City services and supporting education to fully fund the Board of Education budget. He added that it is time to put past arguments behind us and to reach a conclusion that is the right decision.

Mr. Igneri stated that he disagrees with this theory and that a percentage of underfunding could take on a life of its own and how we fund it presents greater problems in a future year. He added that actuarial standards are critically assessed with generally accepted standards used by municipal accounting practices, and these averages should be carefully analyzed and used.

Mr. Kimmel stated that he agrees with Mr. Igneri on the prior issue regarding OPEB funding and urged the Committee to be very cautious as this could take on a life of its own. He stated that there are clear guidelines for reasons and it is important to follow these actuarial recommendations and established, accepted guidelines. Mr. Kimmel stated that it is important for the City to have a museum particularly in the historic district, and the current location is perfect and a museum enhances the area. He added that the City is missing an opportunity to remarket this and that it is an opportunity to see it as a financial boost, and to look at the museum as having a long term benefit for future budget years. He added that if the decision to close is based on budgetary pressures, for \$250,000 it sends a message of negativity about the feelings on the history for the City.

Mr. Hempstead stated that we have a long way to go beyond these items to limit the proposed increase to the mil rate and stated that he would like to see a plan for operational changes for the Museum, and added that with OPEB there is a choice, and it could be \$5 million or \$4 million and that is a much larger debate to have.

Mr. Kimmel stated that these comments made are very valid points, and added that these issues should be weighed against the sacrifice of services. He cautioned against not supporting the

promises to pay and fund contractual agreements for retirement benefits, as this is a very dangerous tactic and just post-pones a future liability.

Mr. Watts stated that he refuses to accept this budget that saves \$1.2 million but sends a message to the City that reducing services is more important than supporting education. He added that the most critical element to address is to increase the grand list with redevelopment projects and this will make an impact on the budget.

Mayor Moccia called the question on the motion made by Mr. Hilliard. Mr. Hempstead asked the motion to be re-stated, and Mr. Hilliard read the resolution and the following:

**** MR. HILLIARD MOTIONED THAT A PROPOSED 5% INCREASE TO THE MAXIMUM LIMIT ON TOTAL APPROPRIATIONS FOR THE CITY OF NORWALK FOR FISCAL YEAR BEGINNING JULY 1, 2012 SHALL BE NO MORE THAN \$302,579,054 THIS APPROPRIATION CAP REPRESENTS TOTAL EXPENDITURES OF \$286,182,707 LESS ESTIMATED INTERGOVERNMENTAL GRANTS OF \$16,396,347.**

Mayor Moccia called for a roll-call vote.

**** THE MOTION FAILED WITH FOUR VOTES IN FAVOR (DULEEP, GEAKE, HILLIARD, WATTS) ELEVEN OPPOSED, (BONDI, HEMPSTEAD, IGNERI, KYDES, KIMMEL, MAGGIO, MCCARTHY, MIKLAVE, PENA, PETRINI, ROMANO), AND NO ABSTENTIONS.**

Mr. Kydes stated that he disagreed with Mr. Miklave's proposal and that the City needs to reduce expenses as that is what is done in the private sector and the business world where inflation and economic realities are faced every day. He stated that he wanted to present an alternative and read the resolution and proposed amendment to the motion of a 2-percent cap. He said council members would be derelict in their responsibility to taxpayers by approving a higher percentage and added that he feels he was elected to protect the city to be a good steward of the city's funds, especially in these uncertain economic times. Mr. Kydes suggested that one approach was to align it with the inflation rate of 1.2 percent. He added that it is easier to criticize than it is to do the work that is needed to reduce the burden on the taxpayers and share the responsibility.

**** MR. KYDES MOTIONED THAT A PROPOSED 2% INCREASE TO THE MAXIMUM LIMIT ON TOTAL APPROPRIATIONS FOR THE CITY OF NORWALK FOR FISCAL YEAR BEGINNING JULY 1, 2012 SHALL BE NO MORE THAN \$278,400,737 THIS APPROPRIATION CAP REPRESENTS TOTAL EXPENDITURES OF \$294,796,724 LESS ESTIMATED INTERGOVERNMENTAL GRANTS OF \$16,396,347.**

Mayor Moccia called for a roll-call vote.

**** THE MOTION FAILED WITH ONE VOTE IN FAVOR (KYDES) FOURTEEN OPPOSED (DULEEP, GEAKE, HILLIARD, WATTS, BONDI, HEMPSTEAD, IGNERI, KIMMEL, MAGGIO, MCCARTHY, MIKLAVE, PENA, PETRINI, ROMANO), AND NO ABSTENTIONS.**

Mr. Miklave stated that he agrees with many of the comments made but there should be a broader approach for all departments and it is part of looking at services and efficiencies with performance standards. Departments should be held accountable and there are impediments for accountability.

Mr. Pena stated that he wanted to thank the all those in the audience who came out to speak along with the many e-mails as it is great to see the level of passion and interest in this important issue. He stated that, as Mr. Miklave pointed out, these budget reductions represent a very small percentage of the total budget and represents .0023% of the total or an insignificant trickle down to the average increase to property taxes. He stated that there needs to be a more balanced approach but this is only a vote on the cap with no line item changes. He stated that there are many issues and we need to be sensitive to the taxpayer's burden amidst these tough choices where property values are down and we need to do a better job at attracting the young professional 18034 demographic. He stated that people are leaving Norwalk, there is a drop in the group that does not have confidence in the school system, and they are moving to the surrounding towns where we need to look at ways to change the culture and gain efficiencies in this system. Increasing property taxes are having a disproportionate impact on the elderly group. He stated that we need to talk about a solution, we need to do more to raise the grand list and there are opportunities to solicit corporate support with many fortune 500 companies right here in our back yard. He added that there needs to be more leadership with ECS funding and partnership with the legislators to provide the City with its fair share of funding. He stated that there is no Executive Committee with the stakeholders, and there needs to more checks and balances with a more comprehensive method and strategic plan of addressing where the priorities lie. He added that there needs to be macro not micro overview and while this debate is good it we get lost in the numbers and lose the values. He stated that he wanted to propose a 2.8% increase to the mil rate represents an increase of \$170.67 to the property tax.

Mr. Barron stated that there was a chart provided outlining the total revenues and appropriations cap with summaries of the grand list and mill rates. He asked the members to look at the reverse side of this chart and highlighted that the numbers are provided in increments of each .1% increase there the total expenditures are listed for those incremental levels and called attention to where the potential mill rate changes and property tax bill impacts were outlined.

Mr. Hempstead thanked the members and noted that he is very impressed with this new council that has embraced the multitude of issues such as ECS funding that forces this disparity situation, and amidst these economic types of shared responsibility. He asked to keep the perspective that Norwalk residents can't sell their houses, and they are at 2002 prices, which ten years of losing their life-long investment, while paying higher taxes. He stated that he would try to summarize the issue of the decision of where to put the City's money, and he gave the example of New York that has had to borrow money to pay their pension liabilities, so while he does not disagree with Mr. Miklave's proposal, we need to understand the long-term consequences.

Mayor Moccia stated that the time was approaching midnight, and according to the rules the meeting requires a suspension vote to continue.

- ** MR. MIKLAVE MOVED TO SUSPEND THE RULES TO CONTINUE THE MEETING TO GO BEYOND THE 12:00 MIDNIGHT RULE.
** THE MOTION PASSED UNANIMOUSLY.**

Mayor Moccia asked the members to be conscious of the time and requested them to make closing remarks and summary opinions.

Ms. Duleep stated that while she feels Mr. Pena has a good proposal, whatever number we choose, it's not going to translate into the people who are actually making decisions, whether to fully fund the Board of Education. She urged Mr. Wilms and the Board of Taxation to carefully examine the line by line elements of the budget to find ways to do a better job of managing all aspects of the budget.

Mayor Moccia reminded that it was the council's job to set the budget cap, and the Board of Estimate and Taxation's job to develop the new budget.

Mr. Watts explained that not to fully fund education would be disastrous for the school system, to the tune of \$5 million dollars (or more). Any municipality that offers contractual benefits is subject to increased expenses over time. That is a fact of life. Even council members who would have liked to have held to a zero increase recognized that the schools contribute to the overall attraction to a city like Norwalk (a city I chose to make my home) and drastic cutting would be irresponsible. We can only hope that the BET (and eventually the state, through its ECS funding) will take the responsible approach. He added that a delicate compromise is needed and it is sad when we have to pit teachers against sanitation workers and there are no easy answers. He added that as a citizen and tax payer that he is offended by the suggestion that the Council is anything but earnest in our efforts on behalf of the city. He stated that some very good points about looking at the entire budget, not just the few pieces, but he feels strongly that privatization of sanitation is an awfully foolish proposal and would be saddened if we could not find a way to keep the museum. He added that he is here because Norwalk is a great place to live and have experienced great community here and he hopes that we can all pull together to keep it a great place.

Mr. Kimmel pointed out that several of the scenarios outlined by the fellow council members would not work and stated that, "...if we were to have gone with a cap that was premised on full funding for the (schools) superintendent's original (budget) request, that would have required a tax increase of almost \$400 a year for the median (single-family home) in the 4th Taxing District," Kimmel said. He added that to go with the Board of Ed's modifications would require about a \$355 or \$360-a-year property tax increase.

Mr. Kimmel explained that approving a 5-percent increase, as proposed by Council President Hilliard to more fully fund the school board, would translate to a nearly \$307 increase in that same property tax bill. He stated that as a teacher, he understands that budgets are being cut nationally and supplies are not enough and teachers have more and more students that need more and more services. He stated that with this in mind he would support to the 2.8-percent mill-rate increase put forward by Councilman Pena as a good compromise.

Mr. Kimmel asked that it be noted in the record that the appreciates all the work done by the Finance

Department as they prepared the spreadsheet showing 70 different scenarios, each representing a 0.1 percent change in the mill rate.

Mr. Hempstead stated that it was very clear by the vote that we all are trying to think about and be sensitive to different sectors of our community, and this is a fair number and demonstrated that the council wants to work together for the greater good of our community.

Mr. McCarthy reminded the members that this appropriations cap will serve as an upper limit for the Board of Estimate and Taxation as it crafts the new budget and sets property tax rates in early May.

Ms. Duleep stated that as Council Majority Leader she takes exception to comments made by some of the members tonight and that we owe it our constituents to use sound judgment in a bipartisan approach to debate the issues, and to show full support for personal reasons is not appropriate. She added that she has lent her support to the 2.8 percent cap but stressed that the Board of Estimate will have the final say and may go lower. She gave an example during her former tenure on the Council where in 2009 we voted to raise the cap, but it was in (the BET's) power and they choose to go below the cap.

Mayor Moccia, said the budget is not yet cast in stone, as this is the setting of the cap. He added relative to school funding, he placed responsibility for the local budgetary pressures on Hartford, which he noted provides Norwalk significantly less school aid than it does other communities in Connecticut. He echoed the comments made by Councilman Bondi and stated that Lawmakers say, Norwalk is considered as the gold coast and therefore does not stand on equal ground as other cities and receives a disproportionate share of ECS funding.

Mayor Moccia called for the motion to be restated.

Mr. Pena read the following:

WHEREAS, Section I-289 of the Norwalk Charter requires that a majority of the Common Council vote to establish a specific spending limitation on locally funded expenditures during the process of establishing the next fiscal year's operating budget.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NORWALK THAT:

The maximum limit on total appropriations for the City of Norwalk for Fiscal Year beginning July 1, 2012 shall be no more than \$280,475,665. This appropriation cap represents total expenditures of \$296,872,012 less estimated intergovernmental grants of \$16,396,347.

Be it further resolved that the result of this vote and resolution, together with the attached 2012-13 Budget Guide, be forwarded by the Clerk of the City of Norwalk to the Board of Estimate and Taxation.

**** MR.PENA MOTIONED FOR A PROPOSED 2.8% INCREASE TO THE MAXIMUM LIMIT ON TOTAL APPROPRIATIONS FOR THE CITY OF NORWALK FOR FISCAL YEAR BEGINNING JULY 1, 2012 SHALL BE NO MORE THAN \$280,475,665. THIS APPROPRIATION CAP REPRESENTS TOTAL EXPENDITURES OF \$296,872,012 LESS ESTIMATED INTERGOVERNMENTAL GRANTS OF \$16,396,347.**

Mayor Moccia called for a roll-call vote.

**** THE MOTION PASSED BY MAJORITY VOTE OF 12 VOTES IN FAVOR ((DULEEP, GEAKE, BONDI, HEMPSTEAD, IGNERI, KIMMEL, MAGGIO, MCCARTHY, MIKLAVE, PENNA, PETRINI, ROMANO), 3 OPPOSED (KYDES, HILLARD, WATTS) , AND NO ABSTENTIONS.**

VIII. RESOLUTIONS FROM COMMON COUNCIL MOTIONS POSTPONED TO A SPECIFIC DATE - none.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE - none

X. SUSPENSION OF RULES-

Three (3) motions as noted in the minutes as follows:

Page 1: To extend the time limit for Public Comments to go beyond fifteen minutes.

Page 11: To move of Item A Finance Committee to last on the agenda.

Page 21: To allow the meeting to go beyond the midnight time limit.

XII. ADJOURNMENT

**** MS. ROMANO MOTIONED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 12:35 p.m.

Respectfully submitted,

Marilyn Knox,
Telesco Secretarial Services