

**COMMON COUNCIL
NORWALK, CONNECTICUT**

**APRIL 13, 2010
REGULAR MEETING MINUTES**

ALL COMMON COUNCIL ACTIONS TAKEN AT THIS MEETING TO APPROVE EXPENDITURES AND CONTRACTS OR TO ACCEPT BIDS AND OTHER PROPOSALS REQUIRING THE EXPENDITURE OF CITY FUNDS ARE SUBJECT TO THE AVAILABILITY OF FUNDS.

CALL TO ORDER

Mayor Moccia called the meeting to order at 8:05 p.m., led those present in reciting the Pledge of Allegiance, and asked all to remain standing for statements of condolences. Following the pledge, Mayor Moccia announced that former Mayor Alex Knopp’s father had passed away and wanted to extend his condolences to Alex and his family. Mr. Hempstead stated that Cliff Barton had passed away, and stated that for those that knew him, he was a most energetic man at the age of 90. He added that Mr. Barton was a very active community member and will be remembered as a man who was always a very classy individual, and he extends his condolences to the Barton family.

I. ROLL CALL

Ms. Wink called the roll. The following Council Members were present:
Council at Large:

- | | | |
|-------------|-----------------------|-----------------------|
| | Mr. Fred Bondi | Mr. Douglas Hempstead |
| | Ms. Joanne Romano | Mr. John Tobin |
| District A: | Mr. Richard Bonenfant | Mr. David Jaegar |
| District B: | Mr. Carvin Hilliard | Mr. Travis Simms |
| District C: | Mr. Nicholas Kydes | Ms. Laurel Lindstrom |
| District D: | Mr. Clyde Mount | Ms. Kelly Straniti |
| District E: | | Ms. Nora King |

Mr. Conroy was absent.

Mayor Moccia announced that fourteen members were present.

II. ACCEPTANCE OF MINUTES

Regular meeting – March 23, 2010

- ** **MR. KYDES MOTIONED TO APPROVE THE MINUTES FROM THE MARCH 23, 2010 MEETING AS SUBMITTED.**
- ** **THE MOTION PASSED UNANIMOUSLY.**

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 not verbatim and represent a summary of statements made.

1. Mr. John Frank, 15 East Meadow Street, Norwalk stated that he was an outline member of the Shellfish Commission and wanted to offer his appreciation to the Commission during his term of service and openly extends an offer to help in any way needed with the new members.

2. Mr. John Lombardi, 2 William Street, Norwalk, stated that he wanted to comment on two items of the agenda, the first is the Capital Budget Item VII. E1, and the demolition of the building at Matthews Park. He stated that organizations who use the area and want the building should contribute to the demolition as opposed to having taxpayers pay. He added that the citizens should not have to pay to demolish a building. The second item was VII E2, the Expansion of the Enterprise Zone. He referred to an article in "The Hour" that stated companies can get a five year write-off and asked why the city wants to bring in more companies that need tax cuts rather than providing homeowners tax incentives when selling prices are down and home values continue to decrease. He added that this is not fair when the citizens are assessed every ten years to give companies further tax bail outs.

3. Mr. Ken Slater stated that he represented Halloran & Sage for Merritt 7 Venture, LLC and Albert Phelps Inc. He stated that he had experienced an Enterprise Zone in New Britain that was very successful in targeting "blighted properties" in city neighborhoods. He stated that however, the Merritt 95/7 area is not blighted but represents prime real estate and the item should be denied and the Enterprise Zone should not be expanded. He stated that the properties should well stand on their own merit and the numbers are understated according to state statues that are based on a different percentage criteria that as listed in documents as provided by the Redevelopment agency. He distributed a written report (copies were given to each Council member) that outlined the above points and highlighted the enterprise Zone study findings and recommendations along with a report of Northeast Economic and Real Estate Market Trends and Possible Effects on Urban Renewal in the City of Norwalk. Mayor Moccia asked Mr. Slater to summarize his points and said that in the interest of the extensive report he would give him another minute to state his comments. Mr. Slater referred to the conclusion page to his letter and stated that he urges the Council to either defer action of this request to allow further analysis of the tax implications and the question of whether the subsidy is necessary to bring this project to the market in a timely fashion or deny the proposal altogether.

4. Mr. Bill Nightingale, South Beach Drive, Norwalk, stated that he recommends rejection of the Enterprise Zone and that the 95/7 prime property has already been given a great deal of money to develop. He added that it is nonsensical to subsidize even more, and that it is not right especially for right now in these economic times. He stated that he echoed Mr. Slater's comments and is disappointed that there is no hardship listed as a result of this not being approved, and questioned the comparison to Stamford. He added that it sends the wrong message to developers that there are always last minute bail outs, but companies should stand on their own. He added that the objective is to bring in tax revenue to alleviate the homeowner's tax burden, not to bail out the companies.

5. Ms. Mary Teresa Conrad (Missy) 37 Stone Crop Road, Norwalk, stated that the March 8 article in the paper was remiss by not stating that she personally canvassed the Fair Street residents with a petition that documented their support of the 80 Fair Street project and the tax abatement. She added that this was because Norwalk needs affordable housing and not more companies that destroy the beautiful houses and residential landscape that makes up Norwalk. She stated that all the great neighborhoods are all gone, from the Carver Center on because of the glut of offices when there is such a need for affordable housing. She added that the Avalon project ads are out and there is not one unit of affordable housing, and summarized that she was against approval of the Enterprise Zone expansion and tax abatement.

City Clerk Wink asked if there were other participants, and hearing none, Mayor Moccia closed the public participation of the meeting at 8:30 p.m.

III. MAYOR

RESIGNATIONS: William Michael Harden (Harbor Commission)
Gwen Briggs (Conservation Commission)

Mayor Moccia stated that the above resignations were accepted with much regret, and he extended statements of appreciation to the members listed for their service to the City.

APPOINTMENTS:

1. Chris Bakes (Parking Authority)

Mr. Kydes stated that he was proud to acknowledge the appointment of Chris Bakes to the Parking Authority, and stated that Mr. Bakes is very well known and respected in the Greek Community and he will be a great asset to the Parking Authority.

**** MR. KYDES MOTIONED TO ACCEPT THE APPOINTMENT OF CHRIS BAKES TO THE PARKING AUTHORITY**
**** MR. MCQUAID SECONDED THE MOTION.**
**** THE MOTION PASSED UNANIMOUSLY.**

Mayor Moccia stated that the following appointments were Mayoral appointments and he was grateful for the following individuals who are willing to serve the City in the capacity of these appointments:

Patrick A. DeVito (Shellfish Commission)
William Michael Harden (Shellfish Commission)

Appointment (s): Robert S. Mercurio, Alternate (Conservation Commission):

Mr. Bonenfant stated that Mr. Mercurio is very knowledgeable and dedicated and will be a strong asset to the Conservation Commission. Ms. Romano stated that she seconded Mr. Bonenfant's comments and that Mr. Mercurio will do a great job on the Commission.

- ** **MR. BONENFANT MOTIONED TO ACCEPT THE APPOINTMENT OF ROBERT MERCURIO TO THE CONSERVATION COMMISSION**
- ** **MS. ROMANO SECONDED THE MOTION.**
- ** **THE MOTION PASSED UNANIMOUSLY.**

REAPPOINTMENT(S): Garry (Doug) Bates (Shellfish Commission)
Darren Oustafine, P.E. (Water Pollution Control)
Frederika Bikakis Hajian (Water Pollution Control)

The Mayor remarked that Mr. Bates has been a very active member of the Shellfish Commission and he is happy to reappoint him.

- ** **MR. HEMPSTEAD MOTIONED TO ACCEPT THE APPOINTMENT OF DARREN OUSTAFINE TO THE WATER POLLUTION CONTROL AUTHORITY.**
- ** **THE MOTION PASSED UNANIMOUSLY.**
- ** **MS. KING MOTIONED TO ACCEPT THE APPOINTMENT OF FREDERIKA BIKAKIS HAJIAN TO THE WATER POLLUTION CONTROL AUTHORITY.**
- ** **THE MOTION PASSED UNANIMOUSLY.**

B. MAYOR'S REMARKS

Mayor Moccia made a statement of congratulations to the Community Health Center opening on Connecticut Avenue, and stated that this is a great successful program for the City. He added that he was proud to say that the Fodor Farm Project is a top fifteen finalist for livability category at the United States Conference of Mayors, which was an incredible accomplishment for the City to have a project as a national finalist. He added that this is a reflection of the hard work by many people involved, including the vision by Mr. Mocciae, the Director of Recreation and Parks. Mayor Moccia added that the Mayor's Summer Youth program has been awarded a grant through the Dollar wise Summer Youth Program.

IV. COUNCIL PRESIDENT

Mr. Hempstead stated that there were many City projects coming up and he is encouraging everyone to get involved in area clean up projects such as Ryan Park and other volunteer programs that are for the betterment of the community.

A. GENERAL COUNCIL BUSINESS

1. CONSENT CALENDAR:

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

**VI. A1, A2, A3; VII. A.1, 2a. 2b. 3, 4, 5(Table), 6, 7; B1 (move to end of agenda)
VII C. 1a. D1. 2a. 2b. 3. 4a. 4b. 5. (withdrawn) G. 2. 3. 4. 5. 6.**

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

Items on Consent Calendar are in bold type as follows:

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

A. BOARD OF ESTIMATE AND TAXATION

1. Resolved, that a sum not to exceed \$20,000 be and the same is hereby transferred from Increased Estimated Revenues to the Recreation and Parks Department to cover the cost of Pool Rental at Norwalk High School. (Account#01-6024-5451).

2. Resolved, that a sum not to exceed \$52,000 be and the same is hereby transferred from Contingency to the Health Department to cover the costs for eviction services. (Account 01-2020-5617).

3. Resolved that a sum not to exceed \$141,876 be and the same is hereby transferred from Contingency to the Public Works Dept. to cover snow removal costs. (Account No. various) (Amount amended to \$120,707 per BET action 4/5/10).

VII. COMMON COUNCIL COMMITTEES

A. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE

1. Authorize the Purchasing Agent, Gerald Foley, to execute a purchase order on behalf of the Norwalk Police Department to Cogent Systems, Inc., as a sole source vendor for the purchase of a portable fingerprinting unit to be used by the Identification Bureau in an amount not to exceed \$16,250.00. Funds will be taken from the previously approved COPS Technology Grant, Account# 35309A5781. (No matching funds).

2a. Authorize the Mayor, Richard A. Moccia, to execute an agreement with Motorola, Inc., for the supply and installation of equipment to upgrade the Police and Fire radio systems, pricing as per State of Connecticut DOIT contract award #06ITZ0019, for total amount not to exceed \$318,354.00; \$222,134.00 from account # 35309B5743 and \$96,220 from account #35309A5743. (No matching funds).

Consent Calendar – continued - in bold type as follows:

A. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE – (continued)

2b. Authorize Chief Harry W. Rilling, to execute change order(s) to the above agreement for the total amount not to exceed \$16,000 from the various accounts previously listed. (No matching funds).

3. Authorize the Purchasing Agent, Gerald Foley, to execute a purchase order on behalf of the Norwalk Police Department to Sirchie Acquisition Company, LLC, dba Sirchie Finger Print Laboratories, the preferred vendor, for the purchase of a 2010 Ford E450, including equipment and training, to be used by Investigative Services as an evidence collection vehicle, in an amount not to exceed \$171,000. Funds will be taken from the previously approved COPS Technology Grant, Account # 5309A573H. (No matching funds).

CONSENT TO TABLE BACK TO COMMITTEE:

4. Authorize the Mayor, Richard A. Moccia, to execute indemnification/hold harmless agreements for the benefit of physicians employed by the City of Norwalk, CT.

***Per Consent item is tabled back to Committee**

5. Authorize the Mayor, Richard A. Moccia, to execute any and all applications, agreements, documents, instruments, or amendments as may be necessary to apply for and accept grant funds and implement the *Women, Infants, and Children's Program* with the City of Stamford, CT, for the period October 1, 2009 through September 30, 2010 for the amount of \$212,821.00. (No matching funds).

6. Authorize the Mayor, Richard A. Moccia, to execute the renewal of the Emergency Communications Network (Code Red) contract for March 14, 2010 – June 30, 2011 for the amount not to exceed \$25,000 and renew future annual contracts with the same vendor (Account No. 013160-5258)

7. Authorize the Mayor, Richard A. Moccia, to execute any and all documentation needed to accept and implement a grant from the Federal Emergency Management (FEMA) under the Fire Prevention and Safety Grant for the amount of \$36,175 with a local match of \$9,044).

B. PERSONNEL COMMITTEE

1. Motion to Approve modifications to NMEA Contract expiring June 30, 2012.

***Per Consent, item is moved to the end of the agenda for Executive Session.**

Consent Calendar – continued - in bold type as follows:

C. LAND USE AND BUILDING MANAGEMENT COMMITTEE- continued

1a. Authorize the Mayor, Richard A. Moccia, to execute a contract with Mota Brothers Asbestos, LLC for the Roosevelt Center Tunnels and Basement Asbestos Abatement Project for a total not to exceed \$69,990.00. Acct.#09007100 5777 C0176, #09084071 5777 C0419, #09107100 5777C0147 and 03-000-2633.

1b. Authorize the Office of Building Management to issue Change Order on Contract for a total not to exceed \$7,000.00.

D. PUBLIC WORKS COMMITTEE

1. Approve proposed revision to Department of Public Works Rates and Fees to establish a sanitary sewer connection inspection fee for connections constructed in state roads.

2a. Authorize the Mayor, Richard A. Moccia, to execute a Contract with Fred N. Durante Jr. General Contractor, Inc. for Project No. PM 2010-2, Proposed Bituminous Concrete Permanent Pavement Repair, for a sum not to exceed \$225,340.00.

2b. Authorize the Director of Public Works, to issue Orders on Contract to Fred N. Durante Jr. General Contractor, Inc. for Project No. PM 2010- 2, Proposed Bituminous Concrete Permanent Pavement Repair, for a sum not to exceed \$22,534.00. Account No:030000-2602

3. RESOLVED that Richard A. Moccia, Mayor, be, and hereby authorized to sign the agreement entitled:“Agreement between the State of Connecticut and the City of Norwalk for the Construction, Inspection and Maintenance of Traffic Signal Controllers and System Upgrade at Fifteen Intersections within the City of Norwalk utilizing Federal Funds from the Congestion Mitigation and Air Quality Improvement Program and from the Urban Component of the Surface Transportation Program.”

4a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Empire Paving, Inc. for Project ARRA 2010-1 Proposed Pavement Preservation Program, State Project 102-335, Federal Aid Project 1102(109) for a sum not to exceed \$1,205,262.75.

****ITEM WITHDRAWN PER CONSENT CALENDAR***

5. Authorize the Mayor, Richard A. Moccia, to execute a Temporary Construction Agreement with Sclafani Brothers of Crescent Street, Inc. to facilitate the completion of construction on the Crescent Street Improvement project.

****ITEM WITHDRAWN PER CONSENT CALENDAR***

Consent Calendar – continued - in bold type as follows:

D. PUBLIC WORKS COMMITTEE (continued)

4b. Authorize the Director of Public Works, to issue Orders on Contract to Empire Paving, Inc. for Project ARRA 2010-1 Proposed Pavement Preservation Program, State Project 102-335, Federal Aid Project 1102(109) for a sum not to exceed \$120,526.27. Account No. Not yet established.

5. Authorize the Mayor, Richard A. Moccia, to execute a Temporary Construction Agreement with Sclafani Brothers of Crescent Street, Inc. to facilitate the completion of construction on the Crescent Street Improvement project.

G. FINANCE COMMITTEE

2. For informational purposes: Narrative on Tax Collections dated April 8, 2010.

3. For informational purposes: Monthly Tax Collector's Report Dated: March 31, 2010.

4. Authorize the Purchasing Agent to issue purchase orders for the purchase of 2 HP DL360 servers and 4 VMware Enterprise Licenses and their support packages, for an amount not to exceed \$30,000, account 09100600-5777-C0375.

5. Approve FY 2010-11 WPCA Operating Budget.

6. Approve FY 2010-11 Parking Authority Budget.

**** MR. HILLIARD MOTIONED FOR A SUSPENSION OF THE RULES TO REQUEST THE ADDITION OF AN ITEM TO THE AGENDA: THE INCREASE OF THE CITY'S OPERATING BUDGET CAP.**

Mr. McQuaid requested a two-minute recess to discuss this requested suspension of the rules. The meeting was recessed at 8:45 p.m. and reconvened back into session at 8:50 p.m.

Mayor Moccia stated that according to Corporation Counsel, the item was not debatable, but the motion would be accepted for vote:

**** MR. HILLIARD MOTIONED FOR AN INCREASE TO THE CITY'S OPERATING BUDGET CAP TO ADD TO THE EDUCATION BUDGET.**

Mayor Moccia called for a roll call vote.

**** THE MOTION FAILED WITH 5 VOTES IN FAVOR (LINDSTROM, JAEGER, SIMMS, KING, HILLIARD) NINE OPPOSED (HEMPSTEAD,**

**BONENFANT, BONDI, MCQUAID, ROMANO, TOBIN, KYDES, MOUNT,
STRANITI) AND NO ABSTENTIONS.**

E. PLANNING COMMITTEE

1. Approval of the City of Norwalk Capital Budget 2010-2011 as amended by the Planning Committee of the Common Council.

Mr. Hempstead stated that on April 1, 2010 the Planning Committee of the Common Council considered and took action on the City's Draft Capital Budget that was presented to the Committee by Mr. Hamilton the City's Finance Director at its March 31st Special Meeting. He added that it is the understanding of the Committee that this budget accurately reflected input from the City's various departments, the Finance Director, the Planning Commission and the Mayor.

Mr. Hempstead stated that the Planning Committee has recommended that this with the following recommended reallocations and modifications:

1. Reallocate \$100,000 from item II.1 New Fire Headquarters. Of which \$80,000 would be reassigned to item VIII.7 Cranberry Park, \$15,000 reassigned to item VIII.8 Fodor Farm and \$5,000 to item IV- I1 Tree Planting General.
2. Reallocate \$40,000 from item IV. B-11 Five Mile Footbridge to item IV. B-3 Tokeneke Bridge Removal.
3. Reallocate \$90,000 from item IV. F2 Sidewalks and Curbs – Walter Ave. to item IV. F1 Sidewalks and Curbing.
4. Reallocate \$50,000 from item V.6 Parking Analysis to item III. 10 Parking Analysis.
5. Reallocate \$40,000 from item VII.1 Technology Implementation. Of which \$35,000 would be allocated to IX.2 Carpets, Ceiling and Light Replacement and \$5,000 would be allocated to IX.5 Children's Bathroom Renovation.
6. Reallocate \$100,000 from item XII.1 Building Repairs and Improvements. Of which \$75,000 would be allocated to IV-G3 Watercourse Maintenance and \$25,000 would be allocated to item VIII.15 Open Space Fund.
7. Reallocate \$75,000 from item XIII.1 IT Capital Projects Replacement and Refurbishment to item III.13 Replace Council Sound System.

Ms. King stated that she found it difficult to follow these changes as there is no order of date or revision number in her Capital Budget book. Mr. Hempstead restated the above changes were reallocations and are incorporated into the budget report contained in meeting packet. Mayor Moccia added that he was in receipt of correspondence from the Town of Darien and a letter signed by the town of Darien addressed to the DEP stating that they have agreed to pay for one half of the costs for item 2, the Five Mile Footbridge.

Mayor Moccia stated that he is proud to present this 2010-11 Capital Budget which reflects a comprehensive spending plan, that includes a much needed budget to pave roads, and design a new fire headquarters on Connecticut Avenue. He thanked the Finance Department and all

Committees for their hard work with the development, and evaluation, and review for this Capital Budget recommendation.

**** MR. HEMPSTEAD MOTIONED TO APPROVE THE CITY OF NORWALK CAPITAL BUDGET OF 2010-2011 AS AMENDED BY THE PLANNING COMMITTEE.**

Mayor Moccia called for a roll call vote.

**** THE MOTION PASSED WITH 13 VOTES IN FAVOR, ONE OPPOSED (MS. KING) AND NO ABSTENTIONS.**

2. Approval for mayor to Request from the Commissioner of the Connecticut Department of Economic and Development consent to expand the boundaries of the Norwalk Enterprise Zone consistent with the attached Exhibit A – Proposed Enterprise Zone Map. Said approval is granted subject to the requirement that, at the 10-year anniversary date of this expansion, the City shall initiate a review of the Enterprise expansion to determine its continued necessity and eligibility.

Mr. Hempstead stated that this was not an easy item and the Committee spent hours in evaluation, review, public information sessions and deliberation on this expansion of the Enterprise Zone. He provided an overview of the background on what has amounted to twenty years of work on a project that has been put forth and endorsed slowly but surely, where other towns have been more successful, and it is essential for Norwalk to step up. He added that despite the time it has taken and the subsidies that have been created, this expansion is necessary to spur ahead creating jobs, primarily construction jobs that are well paying. He added that the state of Connecticut is most unfriendly with state assistance and a recent loss in revenue is not helping the City, but this Enterprise Zone expansion is good business for the City. He clarified that within the existing enterprise zone, 80 percent of local property taxes are abated for a five-year period, the state reimburses the city for half of the abated taxes, leaving the cost to the city 40 percent, which has been thoroughly outlined and evaluated by the Redevelopment Agency, and the state Department of Economic and Community Development will have the final say on whether to extend the enterprise zone.

Mayor Moccia called for comments and requested an orderly process whereby he would recognize those members requesting to make comments, and he cautioned against a back and forth bantering, which would not be permitted.

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

Mr. Jaeger stated that he thinks in the long run, 95/7 will bring in business, but expansion of the Enterprise Zone sets a bail out and abatement is an excuse or a contingent. He added that he voted for the Fair Street Project, which was voted down by the Council, yet he has a hard time understanding why this abatement is being recommended to be approved, and represents inconsistency with the City's direction.

Mr. Kydes stated that he is in favor of the expansion of the Enterprise Zone for four reasons:

1. Attraction of business in Norwalk provides much needed support for the City.
2. As businesses come to Norwalk versus Stamford it increases the tax base which helps reduce the taxpayer burden that citizens have to bear.
3. The Enterprise Zone should be expanded in response to the need to improve those areas, but there has been a domino affect which has hurt business traffic and created negative perception and exposure to criticism.
4. The vitality of restaurants, shops and small business is a big plus for the rebirth of Norwalk.

Mr. Kydes added that the resurrection of Norwalk in these economic times is essential for retaining the competitiveness and foundation for the City with an advantage and vitality.

Ms. Lindstrom stated that in this difficult economy, the development is not growing as expected, and tax abatement is not the answer and comes at a not so good time. She echoed what Mr. Slater stated during the public participation session that taxpayers should not be expected to pick up the burden created by companies that do stand on their own. She added that this would be better to do in a few years, but we could regret it if put in now. She added that the Fair Street Project, which was voted down by the Council, seems yet he has a hard time understanding why this abatement is being recommended to be approved, and represents inconsistent with the City's need for affordable housing which was already built and put in place. She stated that she will not support the expansion of the Enterprise Zone.

Ms. Straniti stated that she was very hesitant in Committee and had several concerns with the tax abatement especially the conveyance tax, but all the issues were fully addressed by the data and support documentation provided by the Redevelopment Agency. She added that the conveyance tax was not lost to the city, and the need for the enterprise zone will be reviewed again in ten years. The state offers a similar program for eligible applicants. And it brings much needed jobs, therefore she is in support of the expansion. She stated that in attempt to answer the comparisons to 80 Fair Street, that tax abatement was over a forty (40) year period, where this one that will be reviewed after ten years.

Ms. King stated that she will be voting against this expansion because a development should stand on its own rather than relying on tax abatements. She added that the tax burden by the residents is already high and citizens are greatly over-taxed, and if a developer can't get it done, the developers that can get the work done should be brought in. She continued with a recommendation that this could be tabled for a few weeks to evaluate new data as presented by Mr. Slater during the public participation. She added that rather than tax abatement, a better, streamlined approval process that was suggested at the Chamber of Commerce round-table discussion forum held at Stepping Stones was something that should be addressed.

Mr. Bonenfant stated that he is very torn with this item and it is a difficult issue, but it does have a “sunset” clause that is a full pay out after seven years. He agrees with the roads and infrastructure plans to bring closure and collect on full taxes, but is concerned with a precedent that an abatement sets. He stated that he is frustrated with comments from citizens to “please build something” in these areas.

Mr. Hilliard stated that development is good for jobs, but the workers need a place to live. He added that if you want to attract jobs, you also have to be able to pay the piper as far as housing goes, and stated that what we're saying is, we need some place for the people who work here to stay here, and since 80 Fair St. was turned down this program seems inconsistent. He added that the comparison versus Stamford is not appropriate because this is Norwalk not Stamford.

Mr. Mount stated that he is in favor of the expansion that he does not see this as a bailout but an incentive for developer. The tenants pay taxes not the developer, so it is an incentive to attract tenants, and Norwalk must give new companies an incentive to move into this prime space and this is just common sense.

Mr. Bondi stated that he agrees with Mr. Mount that given many favorable things to get the developer off the ground, maybe this is not the right developer—who just bought Clairol and may have too many irons in the fire. He added that regardless of the developer, Norwalk needs to attract business tenants into this project.

Mr. Kydes requested a rebuttal comment that provides a history of the project which was ready eight years ago, but that former Mayor Alex Knopp stopped, and it was not until the next election that things were then streamlined into progress. He added that the time to start is now to move forward and if we do not move forward Norwalk will be a city that dies, and other nearby cities will continue to eat our lunch, stating that the dozen-acre site has sat fallow for two decades, while major redevelopment projects and new businesses have taken root in Stamford.

Mr. Hempstead added he wanted to clarify that the project does have forty units of affordable housing where an additional five percent was added to the guideline to require 15% affordable units. He stated that the abatement is actually a phase in of what would be full value after seven years, and clarified that at issue was whether to extend the Norwalk Enterprise Zone in South Norwalk southward along Woodward Avenue and northward into the Reed Putnam area, where the City is seeking tenants and financing to break ground on District 95/7 for offices, retail and housing.

Mayor Moccia stated that he reminds the Council members that he supported extending an abatement to the Fair Street development. He urged extension of the enterprise zone as a means to boost commercial taxes and reduce the tax burden on homeowners in Norwalk, adding that there is only one way to do that and that is to increase the commercial Grand List, and increasing the Grand List ultimately will reduce that tax burden. He stated that he continually hears comments from residents on how long are we going to have an empty lot

there?

Mr. Hilliard requested a five-minute recess. The meeting was recessed at 9:45 p.m. and reconvened back into session at 9:50 p.m.

Mr. Hempstead requested to move the two items as one to include the execution of documents.

- ** MR. HEMPSTEAD MOTIONED FOR THE APPROVAL FOR MAYOR MOCCIA TO REQUEST FROM THE COMMISSIONER OF THE CONNECTICUT DEPARTMENT OF ECONOMIC AND DEVELOPMENT CONSENT TO EXPAND THE BOUNDARIES OF THE NORWALK ENTERPRISE ZONE CONSISTENT WITH THE ATTACHED EXHIBIT A – PROPOSED ENTERPRISE ZONE MAP. SAID APPROVAL IS GRANTED SUBJECT TO THE REQUIREMENT THAT, AT THE 10-YEAR ANNIVERSARY DATE OF THIS EXPANSION, THE CITY SHALL INITIATE A REVIEW OF THE ENTERPRISE EXPANSION TO DETERMINE ITS CONTINUED NECESSITY AND ELIGIBILITY. AND, TO AUTHORIZE AND EXECUTE ANY DOCUMENTS ON BEHALF OF THE CITY RELATED TO SUCH CONSENT FROM THE COMMISSIONER.**

Mayor Moccia called for a roll call vote.

- ** THE MOTION PASSED WITH NINE (9) VOTES IN FAVOR, FIVE (5) OPPOSED (JAEGER, HILLIARD, SIMMS, LINDSTROM, KING) AND NO ABSTENTIONS.**

F. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE

1. Approve the Department of Recreation and Park Fees & Charges for the 2010 – 2011 season. (Public hearing held on Wednesday, March 17, 2010 at 6:30 p.m.)
No public attendance.

Mr. McQuaid moved the item and asked Mr. Mocciae to come forward to address questions.

Mr. Mocciae addressed the changes as highlighted on the supporting documents, and there were no further questions by the members.

- ** MR. MCQUAID MOTIONED TO APPROVE THE DEPARTMENT OF RECREATION AND PARK FEES & CHARGES FOR THE 2010 – 2011 SEASON.**

- ** THE MOTION PASSED UNANIMOUSLY.**

G. FINANCE COMMITTEE

1. Accept and Approve the Report of the Claims Committee Dated: April 8, 2010.

Ms. Straniti recused herself from the item due to a conflict, and left the Council Chambers.

- ** **MR. KYDES MOTIONED TO ACCEPT AND APPROVE THE REPORT OF THE CLAIMS COMMITTEE DATED: APRIL 8, 2010.**
- ** **THE MOTION PASSED UNANIMOUSLY.**

Following the vote, Ms. Straniti re-entered the Council Chambers.

B. PERSONNEL COMMITTEE

1. Approve modifications to NMEA Contract expiring on June 30, 2010

- ** **MR. BONENFANT MOTIONED TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSION TO APPROVE MODIFICATIONS TO NMEA CONTRACT EXPIRING JUNE 30, 2012.**
- ** **THE MOTION PASSED UNANIMOUSLY.**

The Council entered into Executive Session at 9:48 p.m. and reconvened back into public session at 10:10 p.m.

Ms. Romano stated that Mr. Hamilton and Mr. Hasselkamp have done a good job with the contract negotiations, and they should be commended and she thanked them for all their hard work.

- ** **MS. ROMANO MOTIONED TO APPROVE MODIFICATIONS TO NMEA CONTRACT EXPIRING JUNE 30, 2012.**
- ** **THE MOTION PASSED UNANIMOUSLY.**

IV. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

There were no reports from Departments, Boards and commissions

VIII. RESOLUTIONS FROM COMMON COUNCIL

There were no resolutions from Common Council.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were no motions postponed.

X. SUSPENSION OF THE RULES

Mr. Hilliard motioned for a suspension of the rules following the consent calendar approval, and Corporation Counsel clarified that the item could be added to vote, but was not debatable. (Motion noted on page 8.)

ADDITIONAL COMMENTS:

XI. ADJOURNMENT

- ** MR. KYDES MOVED TO ADJOURN.
- ** THE MOTION PASSED UNANIMOUSLY.

The meeting was adjourned at 10:15 p.m.

Respectfully submitted,

Marilyn Knox, Telesco Secretarial Services

