

COMMON COUNCIL  
NORWALK, CONNECTICUT

MAY 12, 2009  
8:00 P.M. DST COUNCIL CHAMBERS

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.

Mayor Moccia called the meeting to order at 8:03 p.m. and led the Assembly in reciting the Pledge of Allegiance.

I. ROLL CALL

Ms. Wink called the Roll. The following Councilmembers were present:

Mr. Bondi	Mr. Hilliard
Ms. Brown	Ms. Lindstrom
Ms. Duleep	Mr. Hempstead
Mr. Bonenfant	Mr. Conroy
Mr. Serasis	Mr. Krummel
Rev. Bolden	

There were eleven (11) Councilmember present and four (4) absent (Mr. Geake; Mr. McQuaid; Mr. Kydes; Ms. Straniti)

II. ACCEPTANCE OF MINUTES

Regular meeting – April 28, 2009

\*\* MR. BONDI MOVED TO ACCEPT THE MINUTES AS SUBMITTED  
\*\* MOTION PASSED UNANIMOUSLY

III. PUBLIC PARTICIPATION

There were no members of the public who wished to speak this evening.

#### IV. MAYOR

##### A. RESIGNATIONS AND APPOINTMENTS

Resignations:  
Appointments  
Reappointments:

There were no resignations, appointments or reappointments this evening.

##### B. REMARKS

Mayor Moccia said that the City is continuing to monitor the Swine Flu and said that there are no cases so far in Norwalk; however we are ready if things go in a different direction. It appears that there will be no vaccine available until the fall. There is no tentative agreement with the NMEA contract.

#### V. COUNCIL PRESIDENT

Rev. Bolden welcomed everyone to the Common Council meeting. She said that as we continue to be the best citizens we can, we continue to deal with gunfire and violence. She commended the City for hiring more Police Officers, but asked everyone, including herself, to continue to be a positive influence. Rev. Bolden encouraged parents to not be afraid of their kids and to call 211 for assistance. She said that she did not want to see any child killed, shot or stabbed to death on the streets of Norwalk.

Rev. Bolden wished everyone a belated Happy Mother's Day.

##### A. GENERAL COUNCIL BUSINESS

##### B. CONSENT CALENDAR:

\*\* REV. BOLDEN MOVED THE FOLLOWING CONSENT CALENDAR

##### C. PERSONNEL COMMITTEE

1. NMEA Tentative Agreement.  
Consent to table

EXECUTIVE SESSION

## VII. COMMON COUNCIL COMMITTEES

### 1.

#### B. PUBLIC WORKS COMMITTEE

1. Authorize the Mayor, Richard A. Moccia, to execute an Agreement for Professional Engineering Services in connection with Project RD2009-1, West Avenues Roadway Improvements, Scope of Services to be in accordance with Tighe & Bond Proposal Section A Bidding Phase Services and Section B Construction Administration Services(Office) for a sum not to exceed \$88,500.00(including \$6,000.00 in reimbursement direct costs) Account No. 09020910-C0241
- 2a. Authorize the Purchasing Agent to issue a Purchase Order to Econolite, Inc., a sole source provider, for the purchases of five (5) Econolite Solo Terra Video Detection Systems for a sum not to exceed \$22,600.00. Account No. 0909 4021 5777 C0021
- 2b. Authorize the Purchasing Agent to issue Purchase Orders to Econolite, Inc., for the purchase of Econolite Solo Terra Video Detection Systems, the City of Norwalk's standard traffic video detection system, as necessary to support the replacement of traffic loop detectors, traffic signal maintenance and traffic signal upgrade project, not to exceed ninety (90) systems.
4. Authorize the Mayor, Richard A. Moccia to execute the first Amendment to the Agreement for Professional Engineering Services with URS Corporation AEC in connection with the Final Design of the Rehabilitation of the Perry Avenue Bridge over the Norwalk River, Bridge No. 04154 for the sum not to exceed \$245,600.00 of which \$81,000 is City responsibility and the remaining is State responsibility (including \$14,600.00 in reimbursable direct costs). Account No. 0909 040 40210 5777 CO392.

\*\* MOTION PASSED UNANIMOUSLY

\*\* REV. BOLDEN MOVED THE FOLLOWING ITEM:

A. LAND USE & BUILDING MANAGEMENT COMMITTEE

Authorize the Mayor, Richard A. Moccia, to execute a residential Lease Agreement with Leo Esposito for 35 Smith Street – Unit #1 (a.k.a. Old Smith Street Jail). Lease payment shall be \$600 per month and Lease shall expire May 31, 2010.

\*\* MOTION PASSED WITH ONE (1) ABSTENTION (MR. BONDI)

\*\* MR. KRUMMEL MOVED THE FOLLOWING ITEM:

3. Authorize the Mayor Richard A. Moccia, to sign the Resolution for Reconstruction of Rowayton Avenue at Metro North Railroad Bridge (Resolution follows)

WHEREAS, the City of Norwalk, CT has published a legal notice display ad, mailed a news release to a number of officials and agencies, and mailed a formal letter to abutting property owners, announcing a public informational meeting on the proposed project for the “Reconstruction of Rowayton Avenue at Metro North Railroad Bridge No. 4132R (ConnDOT Project No. 102-H065); and

WHEREAS, a public informational meeting was held on April 22, 2009 from 7:00 PM to 8:30 PM in City Hall, at which residents and elected officials had the opportunity to voice their concerns; and

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

WHEREAS, the Norwalk CT Common Council has considered the concerns of residents from public informational meetings and finds that the proposed project, Reconstruction of Rowayton Avenue at Metro North Railroad Bridge No. 4132R (ConnDOT Project No. 102-H065) is in the best interest of the City of Norwalk, CT and will promote the health, safety and general welfare of its residents and provide for the convenience and safety of the motoring public and pedestrian traffic.



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

Mr. Krummel said that this item refers to the public information meeting that was held on April 22, 2009 regarding reconstruction to the Metro North Bridge. He said that he attended the meeting and it went very well. The major concerns expressed were from the neighbors whose driveways may be impacted.

Mr. Krummel said that he felt that the Common Council did not consider the concerns of the residents. Ms. Brown told Mr. Alvord that there are no concerns articulated in the back up. Mr. Alvord said that they received four written comments; three in addition to Mr. Krummel's comment. He said that the comments were from the residents that live immediately abutting the site. Their concerns had to do with driveway distances and width. Changes will be made to the plans as a result of their concerns.

Mr. Alvord explained that the purpose of the resolution is to affirm with the State that the Common Council agrees with this. Ms. Duleep said that this resolution is to facilitate this project that has been in the works since the early 1990's.

Mr. Alvord said that Metro North is replacing all of the underpasses on the line and Rowayton is one of them. These funds will allow the Department of Public Works to fix the drainage and sidewalks. He said that they will not start roadway construction until the widening project is completed.

Ms. Brown asked how long the project will take. Mr. Alvord said that it will not take long. It will be shorter than the railroad underpass project.

Mr. Conroy said that he initiated this project. There is a problem with people using the sidewalk. He asked if the rail splash guards were being added to the project. Mr. Alvord said that he wants to look at the original design first.

Mr. Conroy said that this project has been discussed a number of times in the Sixth Taxing District and they fully support this project. The situation there is that the area under the rail road bridge is very narrow causing the stop sign to be invisible. This project will solve a very serious site line problem.

Ms. Lindstrom asked Mr. Alvord if he will go back to the original document regarding what is being proposed and apply that to the current design. Mr. Alvord said that as a result of questions raised by Mr. Conroy at the Committee meeting, he is going to check the design history of the project.

Ms. Brown said that the last Whereas in the resolution, should read Now Therefore. She also suggested changing the third paragraph to read as follows:

WHEREAS, the Norwalk City staff is considering the concerns of residents from public informational meetings and the Norwalk Common Council finds that the proposed project, Reconstruction of Rowayton Avenue at Metro North Railroad Bridge No. 4132R (ConnDOT Project No. 102-H065) is in the best interest of the City of Norwalk, CT and will promote the health, safety and general welfare of its residents and provide for the convenience and safety of the motoring public and pedestrian traffic.

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

\*\* MOTION AS AMENDED PASSED UNANIMOUSLY

Mr. Hempstead welcomed Ms. Wink to her first official Common Council meeting.

## VI. AGENCIES, BOARDS & COMMISSIONS

### A. CORPORATION COUNSEL

\*\* MR. BONDI MOVED TO GO INTO EXECUTIVE SESSION AT 8:20 P.M.

\*\* MOTION PASSED UNANIMOUSLY

1. Authorization to Settle Claim: Caviola v. Norwalk, et al. **EXECUTIVE SESSION**

\*\* MR. BONDI MOVED TO COME OUT OF EXECUTIVE SESSION AT 8:50 P.M.

\*\* MOTION PASSED UNANIMOUSLY

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

\*\* MR. BONDI MOVED FOR SETTLEMENT

Mr. Hempstead requested that the Corporation Counsel submit to the Common Council the resolution to recoup the settlement from the Officer.

\*\* MOTION PASSED UNANIMOUSLY

VIII. RESOLUTIONS FROM COMMON COUNCIL

There were none.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were none.

X. SUSPENSION OF THE RULES

There were none.

XI. ADJOURNMENT

\*\* MR. SERASIS MOVED TO ADJOURN

\*\* MOTION PASSED UNANIMOUSLY

There was no further business and the meeting was unanimously adjourned at 9:00 p.m.

ATTEST: \_\_\_\_\_  
Ellen Wink, City Clerk

