

**COMMON COUNCIL
NORWALK, CONNECTICUT**

**JULY 14, 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.

I. ROLL CALL

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

Mr. Bondi	Ms. Brown
Mr. Geake	Mr. Krummel
Ms. Duleep	Mr. Bonenfant
Mr. Serasis	Rev. Bolden
Ms. Lindstrom	Mr. Hempstead
Ms. Straniti	Mr. Conroy
Mr. Kydes	Mr. McQuaid
Mr. Hilliard	

There were no absences.

II. ACCEPTANCE OF MINUTES

Regular meeting – June 23, 2009

**** MR. KYDES MOVED THE MINUTES OF JUNE 23, 2009**

**** THE MOTION TO ACCEPT THE MINUTES OF JUNE 23, 2009 AS SUBMITTED PASSED UNANIMOUSLY.**

III. PUBLIC PARTICIPATION

Mr. John Lombardi, of 2 Williams Street in Norwalk came forward and said he would like to speak about VII, Item 7, regarding Fort Point Street. He said that it was very difficult to take a left turn on Fort Point Street. He said that with the enlargement of East Avenue, the stacking of traffic at the light at Fitch Street would only exacerbate the problem. He said that the resolution states that it will promote the health, safety and welfare of the residents. When the Fitch Street light was installed, it was supposed to be synchronized with the light on the other side of the railroad tracks. It never was.

Regarding Health, Welfare and Public Safety, Mr. Lombardi said that he had concerns about the purchase of 15 Law Enforcement Carbines for the Police Department. He said that he had concerns about the Police Department having this type of weapon.

Mr. Ed Barlow came forward and said that he lived at 222 East Avenue in East Norwalk. He said that he had some questions about the Metro North changes because the cut in front of his home would become a three foot drop. He also said that the new platform would be located three feet from his property line. The new platform will be 80 feet long and 17 feet high, which will be the entire length of his home and equal to his second story. He asked if there would be some kind of barriers. The Mayor encouraged him to speak with Mr. Alvord regarding these issues.

Ms. Jackie Lightfield of 21 Ann Street came forward to speak about the East Avenue widening. Ms. Lightfield said that she was for this, but she understood that the sidewalk was only going to be five feet wide, which she felt was too narrow. She also asked if granite curbing could be used rather than cement curbing, since the granite generally stands up better than concrete. Ms. Lightfield also asked if there could be a green border between the sidewalk and the street for better pedestrian safety.

Mr. Tod Bryant of 23 Morgan Avenue came forward to speak about the East Avenue improvement project. He said that he was in favor of widening the train bridge. He said that the project had two components, the traffic flow component and the replacement of the bridge portion. He said that he felt the planning part has not been given enough consideration. He said that he felt that most of the traffic signals could be synchronized. Mr. Bryant said that he felt that the DOT was holding the bridge hostage because it seemed DOT seemed to be saying if they don't allow the widening of the road, then the bridge won't be widened.

Ms. Diane Cece of Olmstead Place asked the Council to separate the plan about the widening and send it back to Committee. She said that the plan had been in the works for 13 years, and that there was not enough public hearings or public information sessions. Ms. Cece then listed a number of issues she claimed that the report documents omitted. She said that if the Council approves the resolution, then the DOT will build it and the residents will be stuck with the issues. Ms. Cece said that the Master Plan of Development encouraged sidewalks and bike lanes, but East Avenue was not mentioned at all in the Master Plan.

Mr. Edgar Hendrickson came forward and said that he lived at 68 Chestnut Street and it was a good area when he purchased it, but now there were homeless shelters on his street and a transfer station 50 feet from his home. The Mayor explained that the issue was not on the agenda and respectfully requested Mr. Hendrickson submit his concerns in writing to his office so that the issues could be directed to the proper departments for consideration. Mr. Hendrickson said that he would do so.

Mr. Napoleone Benedetto came forward and said that he said he lived at 220 East Avenue. He pointed out that in Westport and Darien that the underpasses were two lanes and the DOT had kept the underpasses at two lanes. He then asked the Council why this could not be done in Norwalk also.

Mr. John Napoleone came forward and said that his father lives on East Avenue. He said that when the widening of the avenue would take some of his father's property and that would affect the value of his home, along with having four lanes of traffic in front of his home. Mayor Moccia referred him to Mr. Alvord for further information.

Ms. Diane Lauricella came forward and said that she lived on Marlborough Road. She said that she agreed with Ms. Cece about the East Avenue widening. She said that there was not a clear process laid out. Ms. Lauricella said that unless cycling was included in the plan, it needed to go back to the drawing table.

Under Resignations and Appointments, Ms. Lauricella said that she was pleased that the Council had encouraged people to come forward, but it was not the only way to recruit people. Ms. Lauricella said that she was concerned about the fact that the Planning Commission only had one woman on the Planning Commission. She felt that it was important to have parity on the Commission. She then cited that Chapter 115 and said that it was important to have parity. She then said that she also had concerns about the reappointments for Zoning because she felt that there should be fresh blood. She said that there should be a two week lag to discuss the appointments.

Mr. Gordon Tully came forward and said that he resided at 6 Walnut Avenue. He said that he would like to discuss the widening of East Avenue above the railroad underpass. He said that he wanted to focus on pedestrian safety. As travel lanes and shoulders become wider, the sidewalks need to move further from the curbing. The elderly and handicapped should not have to walk closely to the curb because speeding cars throw slush and puddle water on pedestrians. He the said that Myrtle and Raymond had a well designed walkway because the travel lanes are narrow and the sidewalk is wider. He said that he felt that he the City was trading safety for politics. Mr. Tully then encouraged the Council to consider using the same design for East Avenue that Myrtle and Raymond has.

Mr. John Deacy, 10 Lorena Street came forward to say that he was against the widening of East Avenue. He said that he did not know why these projects had to be joined at the hip. He said that he felt that it was important to split the two projects up and allow the railroad bridge reconstruction to go forward.

Mr. Al Raymond of 79 Truman Street came forward and said that the three gentlemen who live right on the East Avenue hadn't received any information about how much they would receive for the taking of their property or any other details. He said that the issue should go back to committee until the residents get the information they are looking for.

Mr. Ted Rupp came forward and said that he lived at 29 St. John Street. He said that he had discussed the situation with an engineer about the widening of the road. He said that the engineer didn't know where all the traffic was coming from. He said that this seemed to just be incidents where the residents of South Norwalk were coming to East Avenue to use the Thruway access ramps because they could not get on at West Avenue or if there was additional traffic involved, but if more lanes were added, then there would be more traffic.

There was no one else present who wished to address the Council at this time, so the Mayor closed the Public Comment portion of the meeting.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

Resignations: John Church – *Fair Rent Commission* (Alternate)

Appointments: John Church – *Fair Rent Commission* (Regular)

Mayor Moccia explained that Mr. Church had to resign his position as an alternate on the Fair Rent Commission because his term was not expired and then be appointed as a regular member. The Mayor commented that this was being done because Mr. Church had proven to be a regular attendee of the Commission and had been appointed as Vice Chair.

**** MR. MCQUAID MOVED TO ACCEPT THE RESIGNATION OF MR. JOHN CHURCH FROM THE FAIR RENT COMMISSION AS AN ALTERNATE AND THE APPOINTMENT OF MR. JOHN CHURCH TO THE FAIR RENT COMMISSION AS A REGULAR MEMBER.**

**** THE MOTION PASSED UNANIMOUSLY.**

Michael Chieffalo – *Planning Commission*

**** MS. DULEEP MOVED TO APPROVE THE APPOINTMENT OF MR. MICHAEL CHIEFFALO TO THE PLANNING COMMISSION.**

Ms. Duleep said that she was pleased to nominate Mr. Chieffalo for Planning Commission. Ms. Duleep then gave an overview of her meeting with Mr. Chieffalo and how he became involved in the architectural aspect of the Planning by attending a meeting just to begin to understand what was being proposed.

Rev. Bolden said that Mr. Chieffalo had expressed strong interest in serving Norwalk and that she was pleased to have him nominated to this Commission.

Mayor Moccia said that he had met with him and that he appreciated Mr. Chieffalo's honesty.

**** THE MOTION PASSED WITH THIRTEEN IN FAVOR (BONDI, GEAKE, MCQUAID, DULEEP, BONENFANT, BOLDEN, HILLIARD, KYDES, LINDSTROM, HEMPSTEAD, STRANITI, CONROY AND KRUMMEL) AND TWO ABSTENTIONS (SERASIS AND BROWN).**

Christine Names – *Tree Advisory*

**** MR. BONDI MOVED TO APPROVE THE APPOINTMENT OF MS. CHRISTINE NAMES TO THE TREE ADVISORY COMMISSION.**

**** THE MOTION PASSED UNANIMOUSLY.**

Reappointment: Jeannette Jean-Pierre – *Fair Rent Commission*

**** REV. BOLDEN MOVED TO APPROVE THE REAPPOINTMENT OF MS. JEANNETTE JEAN-PIERRE TO THE FAIR RENT COMMISSION.
** THE MOTION PASSED UNANIMOUSLY.**

Brenda Penn-Williams – *Fair Rent Commission* (Alternate)

**** MR. BONDI MOVED TO APPROVE THE REAPPOINTMENT OF MS. BRENDA PENN-WILLIAMS TO THE FAIR RENT COMMISSION.
** MS. BROWN SECONDED.**

Rev. Bolden said that she was pleased that Ms. Penn Williams would be serving on the Fair Rent Commission again. Ms. Brown also said that Ms. Penn-Williams had been a fine example of justice and fairness to her daughter.

Mr. Serasis said that he would like to congratulate Ms. Penn-William because she worked tirelessly for the mentoring program. She had always worked for the youth of the community.

**** THE MOTION PASSED UNANIMOUSLY.**

Amy Bien - *Maritime Authority*

**** MR. MCQUAID MOVED TO APPROVE THE REAPPOINTMENT OF MS. AMY BIEN TO THE MARITIME AUTHORITY.**

Mr. McQuaid said that Ms. Bien had brought a lot to the Maritime Authority.

**** MS. STRANITI SECONDED.**

Ms. Straniti said that she agreed with Mr. McQuaid about Ms. Bien's contributions to the Maritime Authority.

**** THE MOTION PASSED UNANIMOUSLY**

Michael Corsello – *Oak Hills Authority*

**** MR. BONDI MOVED TO APPROVE THE REAPPOINTMENT OF MR. MICHAEL CORSELLO TO THE OAK HILLS AUTHORITY.**

Mr. Bondi said that Mr. Corsello had served Oak Hills in many different capacities, including providing legal counsel.

Mr. McQuaid said that the Reappointment list indicated that Mr. Corsello was a Republican. He was told that this was a mistake on the agenda and that Mr. Corsello was a Democrat.

**** THE MOTION PASSED UNANIMOUSLY.**

Vasilios (Bill) Kementzidis – *Oak Hills Authority*

**** MR. KYDES MOVED TO APPROVE THE REAPPOINTMENT OF MR. VASILIOS KEMENTZIDIS TO THE OAK HILL AUTHORITY.**

MR. Kydes said that he had known Mr. Kementzidis all his life and that he owned Uncle Joe's Restaurant.

MR. McQuaid pointed out that there was another typo in the agenda reappointment list and that Mr. Kementzidis's term should end in 2013.

**** THE MOTION PASSED UNANIMOUSLY.**

Walter McLaughlin – *Planning Commission*

**** MR. HEMPSTEAD MOVED TO APPROVE THE REAPPOINTMENT OF MR. WALTER MCLAUGHLIN TO THE PLANNING COMMISSION.**

Mr. Hempstead said that he had known Mr. McLaughlin for many years and that he was very dedicated.

**** THE MOTION PASSED WITH THIRTEEN IN FAVOR (BONDI, GEAKE, MCQUAID, DULEEP, BONENFANT, BOLDEN, HILLIARD, KYDES, LINDSTROM, HEMPSTEAD, STRANITI, CONROY AND KRUMMEL) AND TWO ABSTENTIONS (SERASIS AND BROWN).**

Donald Nelson – *Planning Commission*

**** MR. BONENFANT MOVED TO APPROVE THE REAPPOINTMENT OF MR. DONALD NELSON TO THE PLANNING COMMISSION.**

**** MR. MCQUAID SECONDED.**

**** THE MOTION PASSED WITH THIRTEEN IN FAVOR (BONDI, GEAKE, MCQUAID, DULEEP, BONENFANT, BOLDEN, HILLIARD, KYDES, LINDSTROM, HEMPSTEAD, STRANITI, CONROY AND KRUMMEL) AND TWO ABSTENTIONS (SERASIS AND BROWN).**

Peter Viteretto – *Tree Advisory*

**** MS. LINDSTROM MOVED TO APPROVE THE REAPPOINTMENT OF MR. PETER VITERETTO TO THE TREE ADVISORY.**

**** MS. DULEEP SECONDED.**

Ms. Lindstrom said that she had served with Mr. Viteretto on the Tree Advisory Committee and that he was a landscape architect. Ms. Duleep also said that she served with him on the Silvermine Committee.

**** THE MOTION PASSED UNANIMOUSLY.**

Larry Bentley – *Zoning Commission*

**** MR. KYDES MOVED TO APPROVE THE REAPPOINTMENT OF MR. LARRY BENTLEY TO THE ZONING COMMISSION.**

Mr. Kydes said that Mr. Bentley was apolitical and that he worked very hard on Commission issues.

**** MR. MCQUAID SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

James White – *Zoning Commission*

**** MS. STRANITI MOVED TO APPROVE THE REAPPOINTMENT OF MR. JAMES WHITE TO THE ZONING COMMISSION.**

**** MR. KYDES SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

John Tobin – *Zoning Commission (Alternate)*

**** MR. CONROY MOVED TO APPROVE THE REAPPOINTMENT OF MR. JOHN TOBIN TO THE ZONING COMMISSION AS AN ALTERNATE.**

Mr. Conroy said he served with Mr. Tobin in the past and Mr. Tobin always presented all the view points and did not stifle any point of view. Mr. Bonenfant said that all three of the Zoning candidates were good people, but pointed out that none of them live in District A. However, Mr. Bonenfant said that Mr. Tobin always kept him alerted about the projects for District A. Mr. Hempstead said that Mr. Tobin was very conscientious about his responsibility. Ms. Lindstrom said that she supports Mr. Tobin and that he lives in District C and he is able to provide additional insights.

**** THE MOTION PASSED UNANIMOUSLY.**

B. REMARKS

Mayor Moccia then said that he would like to remind everyone that he had appointed numerous women to various City positions, which he proceeded to list. The Mayor pointed out that there were a number of women who had just been reappointed to various commissions on the current list and that he felt it was a fair statement that his administration appoints the best candidates possible. He added that in regards to Planning and Zoning, the candidates' terms were up and that waiting two weeks for discussion regarding the reappointments would impede any Planning and Zoning work from being done.

Mayor Moccia said that the Summer Youth Intern program is up and running and they have over 200 interns working in various businesses in Norwalk.

Regarding Fodor Farm, the Mayor said that he was happy to report that the house located at 322 Flax Hill Road had been transferred to the new owner earlier in the day and that the restoration will start soon.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS

Rev. Bolden said that she would like to thank Chief Rilling for all his work regarding the gun problems in South Norwalk. She said that she appreciated him extending his hand to work with the community and the clergy.

Rev. Bolden also took a moment to point out to the concerned East Avenue resident that there were three Thruway entrances and exits in South Norwalk, Exits 13, 14 & 15, and that South Norwalk is doing just fine.

RECESS

Rev. Bolden called for a recess at 9:10 p.m. The meeting reconvened at 9:25 p.m.

Rev. Bolden said that she had received a letter from Attorney Maslin dated July 9th and that the Council members felt there had been some attempts to intimidate the members of Council in exercising their responsibilities.

Atty. Maslin said that he had issued the letter in response to a request by the Mayor. He said that he understood there was some feeling regarding the language he used. He would issue a letter for clarification of the language but that his conclusion was accurate. A new letter would be drafted and sent to the Council Members.

The Mayor said that this issue was not on the agenda. He explained that this was based on an email to a Department head, which resulted in his request to Atty. Maslin regarding clarification of the issues.

Mr. Krummel said that the letter made the Common Council members second class citizens because it prevents the council from contacting department heads.

Mr. Serasis said that every paragraph had to do with East Avenue project. The Mayor said that no council member should be meeting with the DOT members to negotiate for changes in the plan.

Mr. Kydes said that as a representative from East Norwalk and that he felt East Norwalk was being held hostage. He said that he felt that the other East Norwalk council member was going above and beyond the duties of a Council member. He then offered to read the email from Ms. Lindstrom to Mr. Alvord.

RECESS

The Mayor called a recess at 9:33 p.m. The Mayor reconvened the meeting at 9:40 p.m.

B. CONSENT CALENDAR:

**** REV. BOLDEN MOVED THE FOLLOWING ITEMS AS THE CONSENT CALENDAR:**

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

A. BOARD OF ESTIMATE & TAXATION

1. **RESOLVED**, that a sum not to exceed \$23,146 be and the same is hereby transferred from Contingency to the Tax Assessor's Office to cover the cost of overtime associated with the 2008 revaluation. (Account No. 01-1320-5120).

4. **RESOLVED**, that a sum not to exceed \$79,784 be and the same is hereby transferred from Contingency to the Unemployment Insurance Premium Account to cover the cost of an increase in unemployment claims experience. (Account No. 01-90-40-5418). **CONSENT TO APPROVE WITH NOTED CHANGE UNDERLINED.**

6. **RESOLVED**, that a sum not to exceed \$20,000 be and the same is hereby transferred from Contingency to the Historical Commission's Grant & Donations Institution account to cover Common Area Maintenance (CAM) Charges for the Norwalk Museum. (Account No. 01-6300-5620).

7. **RESOLVED**, that a sum not to exceed \$71,573 be and the same is hereby transferred from Contingency to the Department of Public Works to cover a settlement between the City and the third Taxing District. (Account No. 01-4021-5241).

A. 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 State of Connecticut Department of Public Health for Public Health Emergency Preparedness for the period August 10, 2009 to August 9, 2010.

1b. Authorize the Mayor, Richard A. Moccia, to execute any and all agreements, documents, instruments or amendments as may be necessary to implement Public Health Emergency Preparedness for the August 10, 2009 to August 9, 2010.

2. Authorize the Purchasing Agent to execute a purchase order to Colt Defense, Inc., on the behalf of the Norwalk Police Department, for the sole source purchase of fifteen

(15), Colt Model 6940, Law Enforcement Carbines for a total amount not to exceed \$ 16,500. Funds to be taken from Account # 09103010-5777-C0436.

3. Authorize the Purchasing Agent to execute a purchase order, on behalf of the Norwalk Police Department, to Mar-Vel International, Inc., the low bidder, for the purchase of 15 sets of accessories for the above Colt Model 6940 Law Enforcement Carbines, for an amount not to exceed \$ 14,100. Funds to be taken from Account # 09103010-5777-C0436.

B. PUBLIC WORKS COMMITTEE

1. Authorize the director of Public Works to issue Orders on Contract to the Brunalli Construction Company for Project No. BR 2007-2, Reed Street Railroad Bridge and Reed Street Extension, in an amount not to exceed \$13,787. Account No. 0920910 5777 C0241

3. Authorize the Mayor, Richard A. Moccia, to execute an Amendment to the contract with A. DiCesare Associates, PC for Professional Engineering Services regarding the Reed Street Extension Project, to provide additional construction administration and inspection services and to extend the contract completion date to December 31, 2010, for a sum not to exceed \$75,000.00 Account No. 09020910 5777 C0241

4. Authorize the Mayor, Richard A. Moccia, to execute an Amendment to the Agreement with Milone & McBroom, for the design of a culvert replacement on Rowayton Avenue at Woodchuck Lane, to evaluate the effect of the improvements on 405 Rowayton Avenue, for a sum not exceed \$5,000.00. Account No. 090740215777 C0395 (FEMA Grant)

5. Authorize the Mayor, Richard A. Moccia, to execute a Second Amendment to the Agreement with Vanasse Hangen Brustlin (VHB), Inc. for the East Avenue Corridor Signalization Improvement Project, to prepare final as-constructed plans for STC submission, for a sum not to exceed \$4,000.00.
Account No. 090741205777 C039 AND 090741205777 C0410

**** THE MOTION TO APPROVE THE CONSENT CALENDAR AS PRESENTED PASSED UNANIMOUSLY.**

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

A. BOARD OF ESTIMATE & TAXATION

2. **RESOLVED**, that a sum not to exceed \$273,816 be and the same is hereby transferred from Contingency to the fire Department to cover the cost of overtime. (Account No. 01-3120-5120).

**** MR. HILLIARD MOVED THE ITEM.**

Mr. Krummel said that he had some comments on the breakdown of the overtime, but he would like to have full page copies because one column was cut off.

Mr. Krummel then asked about the difference between the projected figure and the actual figure in Line 2. Mr. Hamilton said that he would email the Council Members a written explanation. Mr. Geake asked about the 8 million dollar difference in that Overtime account. Mr. Hamilton said that he was confident that the shortfall in the account was accurate, but he would research the account to verify the figures. Mr. Kydes asked if the expenditures had been made. Mr. Hamilton said that this was so. He added that the incorrect figure would not affect the shortfall in the account. Mr. Kydes asked if it would be allowable to vote on the resolution as it was. The Mayor replied that he believed that since this was a contingency transfer, the vote could proceed.

**** THE MOTION TO APPROVE THE FOLLOWING RESOLUTION:**

RESOLVED, THAT A SUM NOT TO EXCEED \$273,816 BE AND THE SAME IS HEREBY TRANSFERRED FROM CONTINGENCY TO THE FIRE DEPARTMENT TO COVER THE COST OF OVERTIME. (ACCOUNT NO. 01-3120-5120).

PASSED WITH TWELVE IN FAVOR (BONDI, GEAKE, MCQUAID, DULEEP, BONENFANT, BOLDEN, HILLIARD, KYDES, LINDSTROM, HEMPSTEAD, STRANITI, AND KRUMMEL) AND THREE ABSTENTIONS (SERASIS, CONROY AND BROWN).

3. RESOLVED, that a sum not to exceed \$297,227 be and the same is hereby transferred from Contingency to the Department of Public Works to cover the cost of salt purchases for the 2008-09 snow removal operations. (Account No. 01-4025-5322).

Mr. Krummel said that this was a similar problem with the pro forma budget. He said that Mr. Alvord was not able to give him an accurate figure for the amount of salt used for the City. He said that the difference in the amount of salt purchased was \$399,000, but only \$308,000 was requested. He said that he was assuming that the department had scrubbed some accounts. He said that the backup should account for the amount requested and difference of the amount of money needed.

Mayor Moccia said that the number for salt was based on the history for the last few years. He said that there had been a higher number of storms and that the price of salt had increased dramatically. Mr. Krummel said that the actual amount was three times what was planned. The Mayor reminded everyone that the storms had come in and salt had been used, more snow had fallen and additional layers of salt had been used.

**** THE MOTION TO APPROVE THE FOLLOWING RESOLUTION:**

RESOLVED, THAT A SUM NOT TO EXCEED \$297,227 BE AND THE SAME IS HEREBY TRANSFERRED FROM CONTINGENCY TO THE DEPARTMENT OF PUBLIC WORKS TO COVER THE COST OF SALT PURCHASES FOR THE 2008-09 SNOW REMOVAL OPERATIONS. (ACCOUNT NO. 01-4025-5322).

PASSED UNANIMOUSLY.

5. RESOLVED, that a sum not to exceed \$99,755 be and the same is hereby transferred from Contingency to the Employee Benefits Social Security Account to cover a projected shortfall in Social Security. (Account No. 01-9020-5418)

**** MR. HILLIARD MOVED THE ITEM.**

Mr. Krummel said that the issue was of backup. He said that he would like to know what figure was between the employee severance and the costs in the Social Security. Mr. Hamilton said that the delay in settlement of union contracts were the bulk of the funds.

**** THE MOTION TO APPROVE THE FOLLOWING RESOLUTION:**

RESOLVED, THAT A SUM NOT TO EXCEED \$99,755 BE AND THE SAME IS HEREBY TRANSFERRED FROM CONTINGENCY TO THE EMPLOYEE BENEFITS SOCIAL SECURITY ACCOUNT TO COVER A PROJECTED SHORTFALL IN SOCIAL SECURITY. (ACCOUNT NO. 01-9020-5418)

PASSED UNANIMOUSLY.

B. PUBLIC WORKS COMMITTEE

Mr. Krummel said that he was absent from the Public Works meeting and that Ms. Lindstrom had chaired in his absence. He would be moving two of the items and ms. Lindstrom would be moving two other items.

2. Approve revision to prior authorization:

A. Resolution authorized on May 12, 2009:

Authorize the Mayor, Richard A. Moccia, to execute an Agreement for Professional Engineering Services in connection with Project RD2009-1, West Avenue 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 exceed \$88,500.00 (including \$6,000.00 in reimbursement direct costs). Account No. 09020910-CO241

B. Revised authorization:

Authorize the Mayor, Richard A. Moccia, to execute an Agreement for Professional Engineering Services in connection with Project RD2009-1, West Avenue Roadway Improvements, Scope of Services to be in accordance with Tighe & Bond Proposal Section A Bidding Phase Services, Section B Construction Administration Services (Office), and Section C Construction Observation Services (Field) for a sum not to exceed \$440,000 (including \$13,500 in reimbursable direct costs). Account No. 09020910 –C0241.

**** MR. KRUMMEL MOVED THE ITEM.**

Mr. Krummel said that there was a five fold increase in the amount for Tighe and Bond. He said that when there was such a large difference and significance change in the vendor, the Council deserves a completely new item on the agenda. Having a proposed contract changed so drastically, it should be presented as a new item.

Mayor Moccia asked if the Committee had voted to move this item to the full Council. He was told that the Committee had indeed voted to send this to the Council.

Mr. Alvord said that when the project had started, there were three parts, construction phase, the office construction phase, and field construction services. The field services portion was not finalized when the RFP went out and following the RFP deadline; it was decided to consolidate all three phases into one contract rather than issuing a contract and later amendments. Mr. Alvord then reviewed the QBS process and emphasized that it did not include bids. He also then reviewed reasons why the third portion of the project needed to move forward so that the consultant could evaluate the construction bids.

Ms. Brown said that the Council had approved a resolution in May and that it would be better to keep the process as originally planned. Mr. Alvord said that it could be done this way.

Mayor Moccia asked if the Public Works Committee had been advised about this. Mr. Alvord said that they had.

Rev. Bolden asked if work had started on Part A and B. Mr. Alvord said it had. Rev. Bolden then asked why it would be better to do this as one package. Mr. Alvord said that rather than having the first contract sent back and forth to the committee, the consultant and the Legal Department, and then repeating the process with the amendment, it would take less time to do the total contract at one time.

Mr. Hempstead reviewed the process as he understood it and Mr. Alvord said that he had it correctly.

Mr. Geake asked if Tighe and Bond had started work without a signed contract. Mr. Alvord said that this was so.

**** MS. BROWN MOVED TO RETRACT THE RESOLUTION AUTHORIZED BY THE COUNCIL ON MAY 12, 2009, WHICH READS AS FOLLOWS:**

AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH PROJECT RD2009-1, WEST AVENUE 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 EXCEED \$88,500.00 (INCLUDING \$6,000.00 IN REIMBURSEMENT DIRECT COSTS). ACCOUNT NO. 09020910-CO241

AND TO APPROVE THE FOLLOWING RESOLUTION:

AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH PROJECT RD2009-1, WEST AVENUE ROADWAY IMPROVEMENTS, SCOPE OF SERVICES TO BE IN ACCORDANCE WITH TIGHE & BOND PROPOSAL SECTION A BIDDING PHASE SERVICES, SECTION B CONSTRUCTION ADMINISTRATION SERVICES (OFFICE), AND SECTION C CONSTRUCTION OBSERVATION SERVICES (FIELD) FOR A SUM NOT TO EXCEED \$440,000 (INCLUDING \$13,500 IN REIMBURSABLE DIRECT COSTS). ACCOUNT NO. 09020910 –C0241.

**** THE MOTION PASSED UNANIMOUSLY.**

6. **Authorize the director of Public works to issue Orders on contract to Wanat's Westport Electric Company, Inc. for the Washington Street Historic Light Project, for a sum not to exceed \$38,500.00.**

Account No. 014031-5264

014031-5267

014031-5269

014031-5296

014031-5336

014031-5341

014031-5343

014031-5345

0900 091 05701 C0009

**** MR. KRUMMEL MOVED THE ITEM.**

Mr. Krummel said that the resolution included an additional \$31,000 fiber optic line between the Yankee Doodle Garage and a traffic line. He said that he would like this to be sent back to Committee.

Mr. Bondi asked Mr. Alvord what portion of the fiber optic program did not cost the City anything. Mr. Alvord said that the conduit cost the City nothing.

**** MR. KRUMMEL MOVED TO TABLE THIS ISSUE AND SEND IT BACK TO COMMITTEE.
** THE MOTION PASSED UNANIMOUSLY.**

7. Authorize the Mayor, Richard A. Moccia, to sign the Resolution for Replacement of the Metro North Railroad Bridge over East Avenue and Reconstruction of East Avenue.

**** MS. LINDSTROM MOVED THE FOLLOWING RESOLUTION:**

RESOLUTION: REPLACEMENT OF METRO NORTH RAILROAD BRIDGE OVER EAST AVENUE AND RECONSTRUCTION OF EAST AVENUE

WHEREAS, THE CITY OF NORWALK, CT HAS CONDUCTED A NUMBER OF PUBLIC INFORMATIONAL MEETINGS REGARDING THE PROPOSED PROJECT FOR THE “REPLACEMENT OF THE METRO NORTH BRIDGE OVER EAST AVENUE AND THE RECONSTRUCTION OF EAST AVENUE” (CONNDOT PROJECT NOS. 102-1375/102-297), AND

WHEREAS, THE CITY OF NORWALK, CT HAS MADE A NUMBER OF CHANGES IN THE CONCEPTUAL APPROACH TO THE RECONSTRUCTION OF EAST AVENUE IN RESPONSE TO RESIDENT COMMENTS, AND

WHEREAS, THE CITY OF NORWALK, CT HAS PUBLISHED A LEGAL NOTICE DISPLAY AD, MAILED A NEWS RELEASE TO MULTIPLE OFFICIALS AND AGENCIES, AND MAILED A FORMAL LETTER TO ABUTTING PROPERTY OWNERS, ANNOUNCING THE LATEST PUBLIC INFORMATIONAL MEETING ON THE PROPOSED PROJECT, AND

WHEREAS, THE MOST RECENT PUBLIC INFORMATIONAL MEETING WAS HELD ON MARCH 17, 2009 FROM 7:00PM TO 9:30PM IN CITY HALL, AT WHICH RESIDENTS AND ELECTED OFFICIALS HAD THE OPPORTUNITY TO PROVIDE ADDITIONAL COMMENTS AND VOICE CONCERNS, AND

WHEREAS, THE SOUTH WESTERN REGIONAL PLANNING AGENCY HAS ENDORSED THESE PROJECTS, AND

WHEREAS, THE NORWALK CITY STAFF WILL CONTINUE TO SOLICIT AND CONSIDER THE COMMENTS AND CONCERNS OF RESIDENTS AND THE COMMON COUNCIL FINDS THAT THE PROPOSED PROJECTS, REPLACEMENT OF THE METRO NORTH RAILROAD BRIDGE OVER EAST AVENUE AND RECONSTRUCTION OF EAST AVENUE (CONNDOT) PROJECT NOS. 102-1375/102-297) ARE 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 PROJECTS.

Ms. Lindstrom said that there had been a number of comments from the public, which indicated that there was a number of questions that were never answered. She said that the process was not clear and that there were a number of questions that remained unanswered.

Ms. Lindstrom then read three letters into the record: one from Ms. Marija Bryant; a second from Ms. Donna Schlegel and Mr. Gregory Knowles; and a third from Ms. Anne Marie Walsh. (See attached) She also submitted two additional letters: one from Nick Overall and one from Mr. and Mrs. Edward Barlow to the City Clerk at that time. (See attached)

Ms. Lindstrom said that the planning and the process were missing from the project. She said that the traffic feeds I-95 and traffic comes to a halt simply because the vehicles simply can't get onto I-95. She said that the railroad bridge is antiquated, and will be replaced, but the issues still need to be discussed. There are questions that still have not been answered.

Ms. Lindstrom said that there was a plan to do road reconstruction at Exit 16 and that this had never been discussed like the project for the railroad bridge has been. Until the public had a full understanding of the upcoming plans for Exit 16, a clear decision can not be made. Ideally, there should have been three projects, the railroad bridge, the second being the road reconstruction at I-95 at Exit 16 and the finally the road between the two locations. The bottlenecks are at Exit 16 and the Railroad bridge.

**** MS. LINDSTROM MOVED TO TABLE THE RESOLUTION AND SEND IT BACK TO COMMITTEE.**

**** THE MOTION TO TABLE PASSED WITH EIGHT IN FAVOR (BROWN, GEAKE, DULEEP, SERASIS, BOLDEN, HILLIARD, LINDSTROM, AND KRUMMEL) AND SEVEN OPPOSED (BONDI, MCQUAID, BONENFANT, KYDES, HEMPSTEAD, STRANITI, AND CONROY).**

8a. Authorize the Public Works Director to:

- 1. Pursue negotiations with property owners along East Avenue for additional takings for the inclusion of grass snow shelves. Negotiations to be conducted with no threat of eminent domain.**
- 2. Develop a modified tree enhancement program limited to the East Avenue project for the purpose of encouraging the planting of trees on private property.**
- 3. Pursue and enter discussions with utility companies for the underground installation of utilities and enter into discussions and negotiations with the Third Taxing District for the installation of decorative lighting along the East Avenue construction project.**

8b. Authorize the Director of Public Works to discuss with the Connecticut Department of Transportation the possibility of removing from the Roadway Improvement Project the

section of East Avenue between Myrtle Street and Raymond Terrace without jeopardizing the funding for the project.

**** MS. LINDSTROM MOVED TABLE AGENDA ITEMS 8A & 8 B AND SEND THEM BACK TO COMMITTEE.**

**** THE MOTION TO TABLE PASSED WITH EIGHT IN FAVOR (BROWN, GEAKE, DULEEP, SERASIS, BOLDEN, HILLIARD, LINDSTROM, AND KRUMMEL) AND SIX OPPOSED (BONDI, BONENFANT, KYDES, HEMPSTEAD, STRANITI, AND CONROY) AND ONE ABSTENTION (MCQUAID).**

C. FINANCE COMMITTEE

- 1. Authorize the Mayor, Richard A. Moccia, to execute an amendment to the city's existing agreement with Ricoh Professional Services, for a period not to exceed two (2) years, for continued mailroom services, for a total two (2) year amount not to exceed \$129,519.00. Acct. No 011362-5259.**

**** MR. HILLIARD MOVED THE ITEM.**

Mr. Krummel said that Mr. Foley was present and he would Mr. Foley to explain what is being done to combine the City Mail Room with that of the Board of Education. He said that the project was ongoing and not well defined.

Mr. Foley said that the intent was that the City was looking to make long term changes by consolidating the two mail rooms and that by taking it step by step, the project would eventual consolidate. Mr. Hamilton added that this was a conceptual plan, but that the details had yet to be worked out. He said that the backup outlined projected savings of \$55,000. He then reviewed the goals and said that the City and the BOE would sit down with the vendor and work out the system. He said that extending the contract would be best at this time.

Mr. Krummel said that he applauded the efforts and asked if the City was tying itself down with a two year contract. Mr. Hamilton said that he did not feel that this was an issue. He said that the vendor would be receptive to working with the City. Mr. Hamilton said that the contract would allow the City to modify the terms at a later date.

**** THE MOTION TO AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AMENDMENT TO THE CITY'S EXISTING AGREEMENT WITH RICOH PROFESSIONAL SERVICES, FOR A PERIOD NOT TO EXCEED TWO (2) YEARS, FOR CONTINUED MAILROOM SERVICES, FOR A TOTAL TWO (2) YEAR AMOUNT NOT TO EXCEED \$129,519.00. ACCT. NO 011362-5259 PASSED UNANIMOUSLY.**

Rev. Bolden then said she wished to take a moment to thank Mr. Walter Briggs for his chairmanship on the Planning Commission. She said that she was very appreciative of all his hard work and service.

Mayor Moccia said that Mr. Briggs had served well and he had a great deal of respect for Mr. Briggs.

VIII. RESOLUTIONS FROM COMMON COUNCIL

There were no resolutions from the Council to consider at this time.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were no motions postponed to a specific date at this time.

X. SUSPENSION OF THE RULES

There were no motions to suspend the rules at this time.

XI. ADJOURNMENT

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

The meeting adjourned at 10:51 p.m.

Respectfully submitted

Sharon L. Soltes
Telesco Secretarial Services

