

**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 everyone to remain standing. Mayor Moccia called for a moment of silence for the deaths of two Norwalk residents and a tragic event in the New York area. He reported the recent death of Bill Harrick, Norwalk resident and the longest living poll worker. Mayor Moccia announced the passing of Fred Rues, a long-time resident and active member of the community.

Mayor Moccia reported that a Long Island Police Officer Sgt. Lopez was fatally shot during a routine pull-over, and it is a reminder that there is no such thing as routine police work. Mayor Moccia expressed condolences and sympathies on behalf of the City to all of the families in their loss.

Mr. Watts stated that he would like to make a comment and Mayor Moccia replied that he needed to first call the roll and follow the order of the agenda.

I. ROLL CALL

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

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

Mayor Richard A. Moccia; Attorney Linda Guliuzza, Assistant Corporation Counsel;  
Ms. Erin Halsey, City Clerk. Fourteen members were present. Absent: Matthew Miklave.

II. ACCEPTANCE OF MINUTES

Regular meeting – October 9, 2012

Ms. Duleep noted on page 2 under Public Comments to correct the spelling of the name of David Westmoreland; page 7, paragraph 2, line 3, change where to “whereas”; paragraph 3, last line, add “a” before glass ceiling.

**\*\* MR. PETRINI MOVED TO APPROVE THE MINUTES FROM THE MEETING OF OCTOBER 9, 2012 AS AMENDED WITH CORRECTIONS NOTED.**

**\*\* THE MOTION PASSED WITH TWELVE VOTES IN FAVOR, NONE  
OPPOSED AND THREE ABSTENTIONS (BONDI, KYDES, ROMANO).**

Mr. Watts stated that he would like to make a comment Mr. Peña stated that he had requested an explanation for the ruling from Corporation Counsel on the motion to table, and that unfortunately Attorney Maslan is not here tonight. He stated that a resolution had been brought to the Council based on input from the Police Department, and that a motion to table was ruled to be not debatable.

Mr. Watts stated that once again it is a shame that due process is not allowed and that the Mayor operates a closed Council. He added that this is completely out of line with due process, and when an item interferes with Public Safety, it is something that the Council should act upon.

Mayor Moccia replied that comments from the Council could not be accepted at this time as the next item on the agenda was Public Participation.

**PUBLIC PARTICIPATION**

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 stated that there was one request for comment on an item that was not on the agenda, and he would ask the Council's permission if that individual could be permitted to comment on a non-agenda item.

*Public Comments represent summarizations of comments made, unless otherwise noted.*

1. Ganga Duleep, 30 Briarwood, Norwalk, spoke in support of the reappointment of Christine Names to the Tree Advisory Committee. She stated that Ms. Names has been a dedicated member of the Committee, has been active in the City's Clean and Green program and she is a perfect fit to be reappointed.

2. Sgt. Thomas Roncinske, Norwalk Police Union.

\*Mayor Moccia called for a vote to permit Sgt. Roncinske to speak on an item that was not on the agenda. The vote was unanimous to allow Sgt. Roncinske to comment.

Sgt. Roncinske read his statement as follows:

Good evening my name is Sgt. Thomas Roncinske. I am president of the Norwalk Police Union. I have served on my Union's Executive Board for the past 12 consecutive years. I have had the distinct privilege to serve this great city for the past 23 years. With a new police chief and new deputy chief in place it is now time to complete the redesign of the police department's administration with the promotions of new captains. New captains will bring forth fresh ideas and enhance the direction of this department. You have a number of highly qualified, experienced lieutenants presently on a promotional list that will serve this city well. You had an opportunity to see this first hand on October 11, 2012.

Public Comments – continued

Statement from Sgt. Roncinske—continuation.

When a deranged suspect decided to barricade himself in his house after a domestic disturbance and begin firing a high powered rifle. In what I can only describe as one of the Norwalk Police Department's finest moments, I witnessed my union members end a potentially deadly confrontation without a single person being hurt. No police officers were hurt, no citizens were hurt and even the suspect was unscaved. Three lieutenants, who are now on the captain's promotional list, were instrumental in ending that siege with no blood shed.

This promotional list has been in effect since November 2010. Early in my career there were four Captains and one Inspector serving the City of Norwalk, one captain for each of the three shifts and a captain leading the Professional Standards Unit. Presently there is only one captain, the captain of patrol and he is scheduled to retire at the end of this year. In my dialog with the city the reason most often cited to me for not promoting captains is that a 1995 International Association of Chiefs of Police (IACP) study on the department's administration suggested they eliminate the position of captain. The study was re-visited in May of 2007 with the same conclusions. This study is 17 years old and to this point nothing has ever been addressed contractually with that suggestion. Further research showed that the IACP study suggested the elimination of the inspectors rank along with the deputy chief rank.

To date none of these suggestions were followed. The city promoted a captain shortly after the 1996 study and continued to promote captains until now. The city has continued to promote to the rank of deputy chief. Span of control in police administration is defined as the number of subordinates that can be effectively supervised by one person. My department's operational guide lines, The Directives states, "To achieve effective direction, coordination, and control the number of employees under the immediate control of a supervisor will not be excessive". The International Association of Chiefs of Police (IACP) in their book, "Police Supervision" believes that the generally accepted ratio is six to nine subordinates for ever supervisor. Police expert Nathan Iannone in his book "Supervision of Police Personnel" believes that the optimum number of subordinates supervised at the top level of an organization is relatively small, three to five. Presently 12 lieutenants answer to the deputy chief.

The institution of captain is integral to any modern police organization. The Greenwich Police Department with a force of 150 and a population of 62,000 has three captains. The Stamford Police Department with a force of 273 and a population of 124,000 has seven captains. The Stratford Police Department with a force of 112 and a population 51,000 has four captains. The department that most closely mirrors Norwalk, The Danbury Police Department with a force of 163 and a population of 82,000 has four captains. These organizations all find a need for captains. If the city opts to end the captain's rank it would effectively create a "glass ceiling" finishing a Norwalk Police Supervisor's career at lieutenant. Why would the City of Norwalk want to be responsible for not developing the future leadership of this department to its fullest?

Mayor Moccia stated that there were no other names on the sign up sheet and that Public Comments were closed.

Mr. Pena made a statement in reply to Sgt. Rocinske's comments, stated that he had requested an explanation for the ruling from Corporation Counsel on the motion to table, and that unfortunately Attorney Maslan is not here tonight. He stated that a resolution had been brought to the Council based on input from the Police Department, and that a motion to table was ruled to be not debatable. He stated that this is completely out of line with due process, and when an item interferes with Public Safety, it is something that the Council should act on.

Mr. Watts stated that once again it is a shame that due process is not allowed and that the Mayor operates a closed Council and that this Council is a circus. Mayor Moccia responded that Mr. Watts was on the high wire and was out of line with his comments. An exchange of comments ensued. Mayor Moccia stated that if Mr. Watts would stop shouting and commenting without being recognized, this could allow Attorney Guliuzza to provide a statement.

Mayor Moccia responded that Attorney Maslan could not attend due to a prior commitment, and he asked the Assistant Corporation Council to provide the response as requested. Attorney Guliuzza referred to rule 8 from the Council charter and stated that a tabled item can be brought back with a motion to remove from the table, but that motion requires a 2/3rds majority vote.

Mayor Moccia stated he would accept further discussion on this item at the end of the agenda and at this time he wanted to present an award to a former resident and long term public servant.

### III. MAYOR

#### MAYOR REMARKS

The Mayor presented a Certificate of Appreciation to Mohan Tracy for her many years of service on the Library Board of Trustees. Mrs. Tracy acknowledged this recognition and thanked the Mayor and Council, and on behalf of her husband expressed her appreciation for this honor.

#### RESIGNATIONS AND APPOINTMENTS.

APPOINTMENTS: Robert H. Frazier, Tree Advisory Committee  
REAPPOINTMENTS: Christine Names, Tree Advisory Committee  
Peter Viteretto, Tree Advisory Committee

#### Robert H. Frazier, Tree Advisory Committee

Mr. McCarthy stated that he has known Mr. Frazier as a neighbor and from his involvement with landscape renovations at the Rowayton Community Center grounds. He added that Mr. Frazier is very knowledgeable on the subject, is competent and capable to do a thorough job, and he is pleased to recommend him to the Committee.

Mr. Igneri added that he is pleased to echo these comments that Mr. Frazier is organized and detail oriented and he is in support the appointment.

- \*\* MR. MCCARTHY MOVED TO APPROVE THE APPOINTMENT OF ROBERT FRAZIER TO THE TREE ADVISORY COMMITTEE WITH A TERM TO EXPIRE JULY 1, 2015.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

REAPPOINTMENTS: Christine Names, Tree Advisory Committee

Ms. Duleep stated that she was pleased to recommend Christine Names to the Tree Advisory Commission for this re-appointment, as she is very active and does great work for the community, including Keep Norwalk Beautiful and Silvermine School, and she will continue to be an excellent member on the Committee.

Mr. Geake stated that he is pleased to echo these comments, and that she is an excellent candidate for reappointment.

- \*\* MS. DULEEP MOVED TO APPROVE THE RE-APPOINTMENT OF CHRISTINE NAMES TO THE TREE ADVISORY COMMITTEE WITH A TERM TO EXPIRE JULY 1, 2015.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

Peter Viteretto, Tree Advisory Committee

Mr. Bondi stated that he was pleased to recommend Peter Viteretto to the Tree Advisory Commission for this re-appointment, as he is very active and does great work for the community, and will continue to be an excellent member on the Committee.

Ms. Duleep added that she is pleased to echo the comments, that Mr. Viteretto has a depth of knowledge, and she is very happy support the reappointment.

- \*\* MR. BONDI MOVED TO APPROVE THE RE-APPOINTMENT OF PETER VITERETTO TO THE TREE ADVISORY COMMITTEE WITH A TERM TO EXPIRE JULY 1, 2015.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

### **COUNCIL PRESIDENT**

#### **A. GENERAL COUNCIL BUSINESS CONSENT CALENDAR**

- \*\* MR. HILLIARD MOVED THE FOLLOWING ITEMS FOR THE CONSENT CALENDAR:  
VII.A.1, A.2,A.3, A.5,A.6, A.7; VII.B.1, B.2, B2, B3, B4.**
- \*\* THE MOTION TO APPROVE THE CONSENT CALENDAR PASSED UNANIMOUSLY.**

*The following items in bold are approved on the Consent Calendar:*

**A. FINANCE/CLAIMS COMMITTEE**

1. **Accept and Approve the Report of the Claims Committee Dated: October 11, 2012.**
2. **For informational purposes only: Monthly Tax Collector's Report Dated: September 30, 2012.**
3. **For information purposes only: Narrative on Tax Collections dated October 11, 2012.**
5. **Telephone and Voice Mail System Annual Maintenance Renewal. Authorize the Purchasing Agent to issue purchase orders to Total Communications for the annual renewal for technical support and maintenance services for the telephone and voice mail system for City Hall, Board of Education Central Office, High Schools, Middle Schools, Libraries, Police Department, Animal Control, Marine Base, Public Works Center, and Fire Stations for the period October 25, 2012 – October 24, 2013 for an amount not to exceed \$79,381.83. City Account 010600-5245 (\$39,942.04) and Board of Education Account 15725100-350 (\$39,439.79). Budgeted operating expense, no special appropriation required.**

**B. LAND, USE AND BUILDING MANAGEMENT COMMITTEE**

1. **Authorize the Mayor, Richard A. Moccia, to execute a one-year Lease Extension with Western Connecticut Convention and Visitors Bureau (WCCVB) for the Gatehouse at Mathews Park. Lease Terms shall remain unchanged. Authorization shall contingent upon Norwalk Historic Commission approval.**
2. **Approve request from Western Connecticut Convention and Visitors Bureau (WCCVB) to sublease a portion of the Gatehouse at Mathews Park to Cultural Alliance of Fairfield County (CAFC). Sublease terms shall be consistent with Lease Terms between the City and WCCVB and shall contingent on the execution of a Lease extension between the City and WCCVB.**
3. **Authorize the Mayor, Richard A. Moccia, to execute an Amendment to Silver/Petrucci and Associates, Inc.'s architectural services contract to include various sub-consultant services for total amounts not to exceed the following:  
Naramake School Imp. Project - \$61,500 Acct. #09045010 5777 B0291  
Rowayton School Imp. Project - \$96,500 Acct. #09045010 5777 B0291**
4. **Authorize the Purchasing Agent to issue a Purchase Order to Advanced Corporate Networking, Inc d/b/a Digital Back Office for the installation of two (2) Municipal Area Network communication fiber connections into the new Fire Headquarters – City and Board of Education IT equipment center, for a total not to exceed \$25,200.00. Acct #09123110 5777 C0466.**

**VII A. Finance Claims Committee**

4. **Emergency Medical Dispatch pre-arrival software.**

Authorize the Purchasing Agent to issue purchase orders to Priority Dispatch Corporation, a sole source provider, for the purchase of ProQA Medical software, installation, training, and 2 year annual maintenance per quotation dated 9/17/2012, for an amount not to exceed \$70,821.00. Accounts 09110600-5777-C0375 & 09130600-5777-C0375 (approved IT capital project; no special appropriation required).

Mr. Kimmel gave an overview of the upgrade of the 911 software and stated that this is a significant improvement of the quality of life in support of the City's residents and it will help save lives.

**\*\* MR. HILLIARD MOVED TO AUTHORIZE THE PURCHASING AGENT TO ISSUE PURCHASE ORDERS TO PRIORITY DISPATCH CORPORATION, A SOLE SOURCE PROVIDER, FOR THE PURCHASE OF PROQA MEDICAL SOFTWARE, INSTALLATION, TRAINING, AND 2 YEAR ANNUAL MAINTENANCE PER QUOTATION DATED 9/17/2012, FOR AN AMOUNT NOT TO EXCEED \$70,821.00. ACCOUNTS 09110600-5777-C0375 & 09130600-5777-C0375**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**6. MUNIS feature enhancement modules.**

Authorize the Purchasing Agent to issue Purchase Orders to Tyler Technologies for the purchase of the Employee Self-service and Dashboard modules for the existing City Finance system, including unlimited CAL license upgrade, training, installation, and consulting services per quotation #44728, dated 9/20/2012, for an amount not to exceed \$38,888.00. Account 09120600-5777-C0375 (approved IT capital; no special appropriation required).

Mr. Kimmel stated that he had questions and asked Ms. DelVecchio, Information and Technology Director and Mr. Hamilton to field questions. Ms. DelVecchio referred to the information as included in the support documentation and explained that Tyler Technologies, these enhancements to the City's MUNIS financial, payroll, and property tax system modules will make its ERP system more efficient.

She explained that two of these modules, Dashboard and Employee Self-Service, would be the most beneficial to the City at this time based on usefulness and cost.

Ms. Duleep asked if the members of the Council could receive these alerts or other features that would assist them in budget issues or funding areas. Mr. Hamilton replied that it is reasonable to say that this can be set up at some future point in time and the intention is to organize information to provide greater transparency. He further explained that Employee Self-service will provide employees with the ability to initiate changes to certain information such as change of address, change of marital status, and change of tax withholding information.

Mr. Hamilton added that the City and the Board of Education payroll staff receive a significant number of requests (upwards of 500) during the year to make these changes. This will help timelines and accuracy and provide an electronic audit trail. Once the change is made by the employee, the payroll group will then review the change and update the system as needed.

The Dashboard allows us to customize the homepage of the user based on his or her role to integrate various parts of the MUNIS system and other applications, and we will be able to add alerts such as getting a department's getting close to a budget limit or close to the total budget of the city or a line item of a certain department allowing us to be more proactive than reactive.

Mr. Kimmel added that this should provide a measure of detecting over budget areas and not to have to search for tracking of budget transfers.

- \*\* MR. HILLIARD MOVED TO AUTHORIZE THE PURCHASING AGENT TO ISSUE PURCHASE ORDERS TO TYLER TECHNOLOGIES FOR THE PURCHASE OF THE EMPLOYEE SELF-SERVICE AND DASHBOARD MODULES FOR THE EXISTING CITY FINANCE SYSTEM, INCLUDING UNLIMITED CAL LICENSE UPGRADE, TRAINING, INSTALLATION, AND CONSULTING SERVICES PER QUOTATION #44728, DATED 9/20/2012, FOR AN AMOUNT NOT TO EXCEED \$38,888.00. ACCOUNT 09120600-5777-C0375. \*\***
- \*\* THE MOTION PASSED UNANIMOUSLY.**

7. Authorize the Mayor, Richard A Moccia, to execute an agreement with Blum, Shapiro & Company, PC to provide consulting services to facilitate a focused operational review of selected areas of the Norwalk Public Schools as City's RFP #3228 and to report the results to the Common Council through its Finance Committee of the Common Council or special meeting of the Common Council for such purpose for an amount not to exceed \$33,000.00.

Account Number 011310-5253

Mr. Kydes stated that this is a very important to assist with budgetary issues with the Board of Education and he asked Mr. Hamilton to provide an overview on a high level. Mr. Hamilton reviewed the background and highlighted from what the supporting documents as contained in the recommendation and fielded questions and comments.

Mr. Kimmel stated that having served on the Audit Committee, it is important that we need to find a way to integrate and to allow the Council to be more involved. He added that he is glad that the audit is focused to find solutions to the problems and this should provide information to specifically make conclusions.

Mr. Peña stated that while he will be voting to support this, he has concerns on the operational issues that exist and that the City needs to know how this happened. He added that this is a good beginning step but he would like this to go into the full analysis of where the money came from in order to hold people accountable.

Mr. Kimmel stated that the MUNIS upgrade will go a long step, along with the hiring of a Finance Director where for several years the position of COO had an impossible list of responsibilities due to organizational structure and this has been placed as a priority to clean up the internal structure.

Mr. Hilliard added that he is concerned with information provided to the public on how money is spend and he hopes that full report of findings will be released to the public.

Mr. Hempstead added that the RFP was thoroughly done and the firm is skilled and this is the right firm for the job. He added that he looks forward to the organizational structure and he has met the new CFO who appears to be well qualified and he has given an honest response and will be a fresh start for the BOE Finance Department to ensure positive change.

Mayor Moccia added that the purpose is to make sure this type of budget shortfall does not happen again and it is important not to point fingers, there are positive changes moving forward.

**\*\* MR. HILLIARD MOVED TO AUTHORIZE THE MAYOR, RICHARD A MOCCIA, TO EXECUTE AN AGREEMENT WITH BLUM, SHAPIRO & COMPANY, PC TO PROVIDE CONSULTING SERVICES TO FACILITATE A FOCUSED OPERATIONAL REVIEW OF SELECTED AREAS OF THE NORWALK PUBLIC SCHOOLS AS CITY'S RFP #3228 AND TO REPORT THE RESULTS TO THE COMMON COUNCIL THROUGH ITS FINANCE COMMITTEE OF THE COMMON COUNCIL OR SPECIAL MEETING OF THE COMMON COUNCIL FOR SUCH PURPOSE FOR AN AMOUNT NOT TO EXCEED \$33,000.00.ACCT NO. 011310-5253.**

**\*\* MOTION PASSED UNANIMOUSLY.**

IX. MOTIONS POSTPONED TO A SPECIFIC DATE - None

X. SUSPENSION OF RULES

**\*\* MR. WATTS MOTIONED TO SUSPEND THE RULES TO PRESENT A MOTION TO REMOVE AN ITEM FROM THE TABLE.**

Mayor Moccia asked it be noted for the record that Ms. Romano had left the Council Chambers.

Discussion ensued on how an item can be removed from the table and there was extensive debate and exchange of comments.

Mr. Peña stated that he had requested an explanation for the ruling from Corporation Counsel on the motion to table, and that unfortunately Attorney Maslan is not here tonight. He stated that a resolution had been brought to the Council based on input from the Police Department, and that a motion to table was ruled to be not debatable.

Mr. Watts stated that once again it is a shame that due process is not allowed and that the Mayor operates a closed Council. He added that this is completely out of line with due process, and when an item interferes with Public Safety, it is something that the Council should act upon.

Mr. Peña stated that he did not know who the person was filling in for Attorney Maslan, and he asked her to introduce herself. Attorney Guliuzza stated that she was the Assistant Corporation Counsel, and she referred to rule 8 from the Council charter.

**COMMON COUNCIL  
NORWALK, CONNECTICUT**

**OCTOBER 23, 2012  
REGULAR MEETING MINUTES**

Mayor Moccia asked it be noted for the record that Ms. Romano had returned to the Council Chambers.

Mayor Moccia called for a roll call vote.

**\*\* MOTION TO SUSPEND THE RULES FAILED WITH FIVE VOTES IN FAVOR, (DULEEP, IGNERI, KIMMEL, PEÑA, WATTS) SEVEN VOTES OPPOSED (BONDI, HILLIARD, HEMPSTEAD, GEAKE, KYDES, MAGGIO, MCCARTHY, PETRINI).**

**ADJOURNMENT**

**\*\* MR. HEMPSTEAD MOTIONED TO ADJOURN.  
\*\* MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Marilyn Knox,  
Telesco Secretarial Services