

MAYOR

RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS:

APPOINTMENTS:

REAPPOINTMENTS: Linda M. Guliuzza, Assistant Corporation Counsel

Mr. Maslan announced that Ms Guliuzza is not seeking reappointment and is leaving the City at the end of the month.

MAYOR'S REMARKS

Mayor Moccia said that there are a number of holiday events scheduled. He wished everyone happy holidays.

V. COUNCIL PRESIDENT

Ms. Duleep asked why the election of a new Council President was not on the agenda. She said that the other Caucus wanted more time, but the Democratic Caucus was ready a few weeks ago. She asked if there is currently a Council President or an immediate past Council President. Mayor Moccia told Ms. Duleep that anyone could request an item be placed on the agenda. Ms. Duleep asked Mr. Maslan if the term of Council President was flexible. Mr. Maslan explained that there is a section in the Charter about it.

Mr. Miklave said that historically the Council President is elected at the second meeting in November. Ms. Duleep asked if a motion to suspend the rules is debatable. Mr. Maslan said that it is not debatable.

**** MS. DULEEP MOVED TO SUSPEND THE RULES TO ADD AN ITEM TO THE AGENDA TO NOMINATE AND VOTE ON ELECTING A NEW COMMON COUNCIL PRESIDENT FROM NOW TO THE SECOND MEETING IN NOVEMBER 2013**

A recess was called at 8:23 p.m.

The meeting resumed at 8:41 p.m.

**** MOTION PASSED BY ROLL CALL VOTE WITH ONE (1) VOTE IN OPPOSITION (MR. HILLIARD) AND THIRTEEN(13) IN FAVOR (MR. HEMPSTEAD; MS. DULEEP; MR. BONDI; MR. PENA; MR. MIKLAVE; MR. WATTS; MR. GEAKE; MR. KYDES; MS. MAGGIO; MR. KIMMEL; MR. PETRINI; MR. IGNERI; MR. MCCARTHY)**

**** MS. DULEEP MOVED TO NOMINATE MR. KYDES AS COUNCIL PRESIDENT AND SPOKE TO THE NOMINATION**

**** MR. BONDI MOVED TO NOMINATE MR. HEMPSTEAD AS COUNCIL PRESIDENT**

Mr. Kydes said that he was very appreciative of the nomination, but was going to nominate Mr. Hempstead and withdrew his name.

Mayor Moccia asked three times if there were any other nominations. Hearing none he asked for a roll call vote.

**** MOTION TO NOMINATE MR. HEMPSTEAD AS COMMON COUNCIL PRESENT PASSED BY ROLL CALL VOTE WITH NINE (9) VOTES IN FAVOR (MR. HILLIARD; MR. HEMPSTEAD; MR. BONDI; MR. GEAKE; MR. KYDES; MS. MAGGIO; MR. KIMMEL; MR. PETRINI; MR. MCCARTHY) AND FIVE (5) VOTES IN OPPOSITION (MS. DULEEP; MR. PENA; MR. MIKLAVE; MR. WATTS; MR. IGNERI)**

At this point in the meeting, Mr. Hempstead took over the role of Common Council President. He wished everyone happy holidays and a happy and healthy new year. He said that he hoped this year they would be able to reach out to each other and have conversations with each other.

GENERAL COUNCIL BUSINESS

CONSENT CALENDAR

There were no items on the Consent Calendar this evening.

REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

CORPORATION COUNSEL

COMMON COUNCIL COMMITTEES

PUBLIC WORKS COMMITTEE

**** MR. MCCARTHY MOVED TO AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO W. I. CLARK COMPANY FOR THE PURCHASE OF A 2013 JOHN DEERE 410K BACKHOE FOR A SUM NOT TO EXCEED \$124,175.00.
ACCOUNT NO. 0912 4031 5777 C0313**

**** MOTION PASSED UNANIMOUSLY**

**** MR. MCCARTHY MOVED TO AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE A SUPPLEMENTAL AGREEMENT WITH URS CORPORATION AES, FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR THE REHABILITATION OF THE WESTMERE AVENUE BRIDGE (BRIDGE NO. 04440) OVER FARM CREEK, FOR A SUM NOT TO EXCEED \$15,810.00.
ACCOUNT NO. 0904 4021 5777 C0315**

Ms. Duleep asked about the scope of services. Mr. Alvord explained that they are in the process of replacing three City bridges. This bridge is being designed in-house. There is a load factor analysis that the State wants on the bridge. This needs to be done by an outside consultant.

**** MOTION PASSED UNANIMOUSLY**

**** MR. MCCARTHY MOVED TO AUTHORIZE THE MAYOR, RICHARD A. MOCCIA TO EXECUTE A 2ND AMENDMENT TO THE AGREEMENT WITH XPRT GENERAL SERVICES LLC FOR PROJECT #3174 FIBER OPTIC CABLING FOR AN AMOUNT NOT TO EXCEED \$10,000.00.
ACCOUNT NO. 0910 4021 5777 C0232**

Ms. Duleep asked for an explanation. Mr. Alvord said that the first traffic signal update was put into place 3- 4 years ago. They are now in phase 3. The old fiber that is being used has far less capacity than the new system requires.

**** MOTION PASSED UNANIMOUSLY**

**** MR. MCCARTHY MOVED TO APPROVE THE FOLLOWING RESOLUTION:**

WHEREAS, the South Western Regional Planning Agency (SWRPA) plans to submit a proposal to participate in the Regional Performance Incentive program of the Connecticut Office of Policy and management; and

WHEREAS, SWRPA, in its proposal, specifically seeks funding for a Regional Watershed Coordinator as part of a Regional Watershed Service to provide coordinated services to watershed areas in the region, including the Five Mile River watershed within the City of Norwalk; and

WHEREAS, such proposal requires that a majority of the Common Council vote to endorse the proposal;

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

It endorses the Regional Performance incentive program proposal referenced in Section 5 of public Act 11-61 (An Act Concerning Responsible Growth). Such proposal is attached to and made part of the record.

BE IT FURTHER RESOLVED that the result of this vote and resolution, together with the attached proposal, be forwarded by the Clerk of the City of Norwalk to the South West Regional Planning Agency.

Mr. McCarthy explained that SWRPA brought this to Ms. Cherichetti last week, but did not provide all of the information. There was a need for approval by December 31st. Mr. Bondi said that he called Larry Cafero who offered to get information about the grant. He said that this was a good thing and would help Norwalk and the surrounding towns.

Mr. Kimmel said that he was at the DPW meeting and generally does not like to rush through issues, but it is not entirely SWRPA's fault. He commended Ms. Cherichetti for answering lots of his questions and for providing him with all of the details. He said that he supports this initiative. He said that everything should be done to make a dent in water related issues. It is a mistake that no one from SWRPA was able to be here tonight. Mayor Moccia noted that Ms. Cherichetti was at a Conservation meeting this evening.

Ms. Duleep said that she was disappointed that no one was here from SWRPA. She suggested to Mr. Hempstead and others that item six is Reports: Departments, Boards and Commission and can be used as a way to disperse information.

Mr. Miklave said that he was disappointed that someone from SWRPA was not here. He said that he did not want anyone to interpret his comments as anti environmental and that his comments are not addressed to Mr. Alvord or the staff. He said that in his experience, when folks want to get something done under the radar, they set up a process, give it a good name and then give it to them on short notice. He said that when this popped up on the agenda without public notice and had to be voted on immediately, he got suspicious.

Mr. Alvord said that they need a regional approach to establish this position. This is the first step toward improving water quality. He said that the intent is to bring in a new staff person. Mr. Miklave asked about current outreach and if they do water quality testing in Norwalk. Mr. Alvord said that it is done in various locations and follow certain events. Mr. Miklave said that there are a lot of unanswered questions, but this is not the City's fault. He said that he will vote in favor of this. He added that in fairness to SWRPA, the Office of Policy and Management came down with this late.

Mr. Kydes said that he served on SWRPA when he was on the Planning Commission; they do a lot of good work and look out for the betterment of the region. He said that he will support this effort.

Mr. Watts said that he will support this initiative, but they have to do better about getting information out. He said that he hopes the committee chairs will try to do better about getting information out in a timely manner.

Mr. Hempstead said that this is a regional issue and would encourage SWRPS to give a report at

the end of the year, if they are awarded the grant. He said that he would also like to see a report on how they are going to maintain the program.

Mr. Hilliard said that he was a member of SWRPA and they do great things. He said that he fully supports this. He said that the longer someone is on the Common Council, the more they will become familiar with how SWRPA works.

**** MOTION PASSED UNANIMOUSLY**

PLANNING COMMITTEE

**** MR. KYDES MOVED TO APPROVE THE PROPOSED SUBSTANTIAL AMENDMENT TO NORWALK'S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CONSOLIDATED PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT AS RELATED TO THE CITY NEIGHBORHOODS PROGRAM.**

**** MOTION PASSED UNANIMOUSLY**

**** MR. KYDES MOVED TO AUTHORIZE THE MAYOR TO SIGN AND EXECUTE THE CONSOLIDATED PLAN CERTIFICATE OF CONSISTENCY RELATED TO NORWALK'S ANNUAL PUBLIC HOUSING AUTHORITY PLAN AS REQUIRED BY THE UNITED STATES DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.**

Ms. Duleep asked if they should wait to vote until after a presentation on December 18th. Mayor Moccia explained that once this item is passes, any major changes would come back to the Common Council.

Ms. Webber explained that the reason that they are applying for the signature is for the Housing Authority to meet their plan. She said that they may make slight changes to the policy. Ms. Duleep said that it would make more sense to have the public hearing first. Ms. Webber said that she could not speak to the Housing Authority deadline, but the plan will be reviewed again before it is submitted to the Mayor for his signature.

**** MOTION PASSED UNANIMOUSLY**

**** MR. KYDES MOVED TO APPROVAL OF THE PROPOSED REVISIONS TO THE CITY OF NORWALK'S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CITIZEN PARTICIPATION PLAN RELATED TO THE PROSPECTIVE DEVELOPMENT AND ADMINISTRATION OF A SECTION 108 GUARANTEED LOAN FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.**

Due to a potential conflict of interest, Mr. Kydes left the Council Chambers.

Mr. Kimmel asked Ms. Webber to explain section 108. Ms. Webber explained that it provides source of finance for economic development. The Redevelopment Agency has been directed to prepare the application of the 108 loan for the Globe Theater and the application has been completed. The plan addresses only the use and allocation and reporting framework for CDBG funds. Mr. Kimmel said that there is a bit of a contradiction in the process and will vote no on this item.

Mr. Miklave said that this is an amendment to help them advance to the next level of the resolution. Mr. Kimmel complemented everyone for navigating their way through this complex situation.

**** MOTION PASSED BY ROLL CALL VOTE WITH ONE (1) ABSTENTION (MR. BONDI); ONE (1) VOTE IN OPPOSITION (MR. KIMMEL) AND ELEVEN (11) VOTES IN FAVOR (MR. HILLIARD; MR. HEMPSTEAD; MS. DULEEP; MR. PENA; MR. MIKLAVE; MR. WATTS; MR. GEAKE; MS. MAGGIO; MR. PETRINI; MR. IGNERI; MR. MCCARTY)**

Mr. Kydes returned to the Council Chambers.

LAND, USE AND BUILDING MANAGEMENT COMMITTEE

**** MR. BONDI MOVED TO AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE A SECOND AMENDMENT TO THE LEASE AGREEMENT BY AND BETWEEN CITY OF NORWALK AND THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF NORWALK, INC., DATED AS OF APRIL 26, 1995, CONSENTING TO THE ASSIGNMENT OF THE LEASE TO THE NORWALK HOSPITAL ASSOCIATION, ON THE SAME TERMS AND CONDITIONS AS THE ORIGINAL LEASE.**

Mr. Zullo came forward as a representative of Norwalk Hospital. Mr. Pena said that they need to be careful and understand that some time they have to put items on the agenda at the last minute. He said that they need to be sensitive to different rules for different people. Mayor Moccia agreed and said that Mr. Pena's point was well taken.

Mr. Zullo gave an overview of the lease agreement. He said that the YMCA has a 50 year lease and if they use it for other purposes they have to go before the Common Council. He said that he received a call that the YMCA was seeking bankruptcy and he knew that Norwalk Hospital had talked about a joint operation. The YMCA has run out of money and can't continue their programs.

Mr. Zullo said that the hospital and YMCA are both non for profits. The lease is in place and they want the same lease.

Mr. Watts said that he was concerned with these last minute items appearing on the agenda. He said that he is not comfortable consenting to the same terms in a lease if they have not seen the original lease. He appealed to all committee chairs to do better to get all back up in a timely

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manner. He added that it is not fair to the office staff.

Mr. Miklave said that if there is going to be changes in the use, this body has to take it seriously.

**** MOTION PASSED UNANIMOUSLY**

MOTIONS POSTPONED TO A SPECIFIC DATE

There were none this evening.

SUSPENSION OF RULES

There were none this evening.

Mr. Watts led the Common Councilmembers in a round of applause in appreciation of Mr. Hilliard.

ADJOURNMENT

**** MR. KYDES MOVED TO ADJOURN**

**** MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 9:58 p.m.

ATTEST: _____
Erin Halsey, City Clerk