

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.

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. Sarah Mann
	Mr. Warren Peña		
District A:	Mr. Matthew Miklave	Mr. David Watts	
District B:	Mr. Carvin Hilliard	Mr. Michael Geake	
District C:	Ms. Michelle Maggio	Mr. Nicholas Kydes	
District D:	Mr. Jerry Petrini	Mr. Bruce Kimmel	
District E:	Mr. David McCarthy	Mr. John Igneri	

Mayor Richard A. Moccia; Attorney Jeffrey Spahr, Associate Corporation Counsel;
Ms. Erin Halsey, City Clerk. Fourteen members were present. Absent: Ms. Anna Duleep

II. ACCEPTANCE OF MINUTES

Regular meeting – MAY 28, 2013

**** MR. MCCARTHY MOVED TO APPROVE THE MINUTES FROM THE MEETING OF MAY 28, 2013 AS SUBMITTED.**

**** THE MOTION PASSED UNANIMOUSLY.**

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 civil in nature with no personal attacks and to be related to the agenda to a limit of three minutes.

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

Public Comments

1. James Del Greco, 41 Elmwood Avenue, and Golden Hill Association President spoke in support of the improvements to Cedar Street.

Public Comments – continued.

Mr. Del Greco described this as little business district where the merchants are suffering, and it's absolutely critical that we get this done over the next six to eight month. He explained that now is the perfect time to perform the work, as the Cedar Street bridge over Interstate 95 at Exit 14 remains closed and under construction. Mr. Del Greco said residents have pushed for the improvements for a decade and he urged approval of the contract to reconstruct Cedar Street, a major artery into South Norwalk.

2. Jim Clark, 9 Golden Hill, Norwalk spoke in support of the improvements to Cedar Street and stated he wanted to echo the previous comments. He stated that after ten years working with the many stakeholders it is encouraging to finally have this move forward. He thanked all those involved with the project and asked the council for approval.
3. Julian Norman, 299 West Avenue, spoke on behalf of the Center for Contemporary Print Making at Matthews Park and he stated that he looks forward to another decade in partnership with the City. He remarked on how the museum has grown to have a wonderful collection and he thanks all those involved with this effort to preserve part of the historic resources that Norwalk has.

Mayor Moccia thanked Mr. Norman for his comments and added that the museum is one of the jewels of the City.

4. David Westmoreland, 50 Elmwood Avenue spoke in support of Gerald Foley and stated that he is very dedicated and supportive and he urged the Council to approve his reappointment. He also spoke in support of the improvements to Cedar Street and stated he wanted to echo the previous comments and he hopes this will serve as a model for future DPW projects. He added that it is encouraging to finally have this move forward for the benefit of the residents and merchants in that area. In addition he spoke about Item A3C, the Carriage House at Matthews Park and the Center for Contemporary Print Making and thanked all those involved with the lease extension. He then spoke about item B4 and stated that he hoped to get the support of the Council with the lease for the use of the Lockwood House for the Historical Society and that he is confident that the business case for the city is a solid one.
5. Peter Viterito, Comstock Hill Road, spoke about the historical resources that will be preserved for the City's collection. He added that the City values this historical storage of materials and there has been a great partnership with the city.

Mayor Moccia asked if there were others who wished to speak, and hearing none, closed the public participation portion of the meeting at 8:20 p.m.

MAYOR COMMENTS:

Mayor Moccia stated that he wanted to acknowledge those that spoke about Cedar Street and he thanked them for their comments and that he appreciated all the collaboration with getting the ball rolling to get it passed. He noted the cost of \$1.8 million is a lot of money and we're trying to put it to good use.

Mayor Moccia then read a letter from Metro North, as follows:

Dear Mayor Moccia: I want to extend to you my personal thanks-and the appreciation of everyone here at Metro-North-for the City of Norwalk's help during the recent derailment in Bridgeport on our New Haven Line.

The City's rapid reaction and willingness to provide whatever resources we needed played a significant role in helping in our response and recovery process. Without your community's considerable assistance in assigning personnel to help us secure the incident scene, direct traffic or take care of injured passengers, our response and recovery effort would not have been a successful as it turned out.

We were able to start regular service four short days after the accident, and it is not an exaggeration to say we couldn't have come back so fast without your help. At Metro-North, we talk about working as a team to achieve goals. While the derailment was unarguably a devastating occurrence, we saw that with the City, and many of our external partners, much can be accomplished when the need is greatest.

Once again, my sincerest thanks for the City's support in what has been a distressing event or our customers, our communities and our employees.

Sincerely, Howard Permut, Metro North Railroad

RESIGNATIONS AND APPOINTMENTS

Mr. Hempstead noted that there was a correction to the agenda to change the word Appointment to Reappointment.

RESIGNATIONS: Patricia Clark Jeffries, Harbor Management Commission

Mayor Moccia stated that Ms. Clark Jeffries has served the City in a very dedicated and loyal capacity and she will be missed by the Commission. He accepted her resignation with regrets. He then stated that the appointment of Mr. Gardella would be moved up to next on the agenda.

APPOINTMENTS: William T. Gardella, Harbor Management Commission

Mr. Kydes spoke in support of William Gardella, and stated that he is proud to support his appointment to the Harbor Management Commission. He stated that he has known the family for years and the name is one of the most renowned in the City, with the Harbor and also as an owner of a restaurant.

Mr. Hempstead stated that if you talk about a family that has been associated with water-related activities or water-related businesses, Gardella is certainly the family name in the city of Norwalk. He added that it's important that we put people on the Norwalk Harbor Management Commission who understand the needs of our boating community and the importance of keeping our channel open to commercial traffic so we get it dredged.

Ms. Maggio stated that the Gardella's family owns Norwalk Cove Marina and she has known them all her life, and she wanted to echo those statements in his support.

Mayor Moccia stated that he was proud to recommend Bill Gardella for this appointment, that he has a tremendous knowledge of the Harbor along with being a long-term member of the Exchange Club, and a dedicated member of the Norwalk community. .

- ** MR. KYDES MOVED TO APPROVE THE APPOINTMENT OF WILLIAM GARDELLA TO THE HARBOR MANAGEMENT COMMISSION WITH A TERM TO EXPIRE 12/ 31/ 2015.**
- ** MOTION PASSED UNANIMOUSLY.**

REAPPOINTMENTS: Gerald J. Foley, Purchasing Agent

Mr. Kimmel stated that he is proud to support Mr. Foley who has one of the most important jobs as the city's purchasing agent and to do it right. He added that Mr. Foley is dedicated, and efficient, he meets state requirements, specifications and deadlines and is responsible all business operations with the city, including city bids and insurance policies. He added that he has watched Gerald since 2001, when he came on board, and he has approached the job with professionalism. His attention to detail, which is extremely important for this job, is very, very good. He works hard, long hours.

Mr. Bondi stated that he wanted to second those comments that Gerald is one of the hardest working department heads in the city.

Mr. Kydes stated that he also shares the comments in support of the reappointment that he is one of the unsung heroes in the City.

Mr. Hempstead added that his integrity, thoroughness and open mindedness to the purchasing processes is a great asset to the City.

Mayor Moccia stated that he is proud to re-appoint Gerald Foley to the position of Purchasing Agent.

- ** MR. KYDES MOVED TO APPROVE THE REAPPOINTMENT OF GERALD J. FOLEY, PURCHASING AGENT WITH A TERM TO EXPIRE 06/ 30/ 2017.**
- ** MOTION PASSED UNANIMOUSLY.**

Mayor Moccia then swore in Mr. Foley into his reappointment position as Purchasing Agent.

COUNCIL PRESIDENT - General Council Business:

Mr. Hempstead suggested that the following item presentation be moved up in the order of the agenda.

- C. HEALTH, WELFARE, PUBLIC SAFETY
 - 1. PhotoVoice Presentation

Presentation from two teen community members to explain their research findings from a year-long PhotoVoice project conducted in cooperation with the Health Department.

**** MR. HEMPSTEAD MOVED TO SUSPEND THE RULES TO MOVE UP THE PHOTO VOICE PRESENTATION TO NEXT ON THE AGENDA.**

**** MOTION PASSED UNANIMOUSLY.**

Ms. Theresa Argondezzi, Health Educator with the Norwalk Health department introduced Tanasia Ticking from Briggs who presented the summary of the project "Norwalk Teens Want Change." She explained that this project, sponsored by the School Based Health Center, represented research on how violence within the community affects teens and their concerns were centered on better safety in parks, substance abuse and stress relief. She spoke about solutions to help fix and change the community concerns and to how there needs to be discussion about helping fix problems and issues. Questions and comments were fielded about the study including a request to have this presentation posted on the website. Mayor Moccia thanked them for their presentation.

Mr. Petrini stated that this study is a valuable indication of the things that the City needs to address when it comes to identifying concerns about teens. He added that this type of research is critical to use in the development of programs that can be put into place both from an educational and recreational standpoint. He thanked the Health Department for bringing this project to the Council's attention and commended Briggs High School students on the presentation.

Mr. Hempstead commended the student and the Health Department for sponsoring this study. He added that it is admirable the amount of work that was involved and the courage that it takes to present it to the Common Council is truly commendable.

CONSENT CALENDAR

**** MR. HEMPSTEAD MOVED THE FOLLOWING ITEMS ON CONSENT*:
VII.A.1, VII. A.2.a., VII.A.2.b., VII.3.a., VII.A.3.b., VII,A.4, VII.B.2a., VII.B.2b,
VII.B.3, VII.4. *, VII.B.5.**

*** On consent to be sent back to Committee for review by the Finance Department.**

**** MOTION TO APPROVE THE CONSENT CALENDAR WAS UNANIMOUS.**

****It is noted that there was discussion on the conditions for item VIIC4 to be reviewed by the Finance Department prior to then be on the agenda for the next regular Common Council meeting in June.***

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

VII. COMMON COUNCIL COMMITTEES

A. PUBLIC WORKS COMMITTEE

1. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with X-Pert General Services LLC for Project #TRF 2013-1 On-Call Fiber Optic and CCTV Installation for Traffic for an amount not to exceed \$38,600.00. Account No. 014031 5343 FY 2013 014031 5343 FY 2014.

Consent Calendar – continued

2.a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Deering Construction, Inc. for Project RD 2012-1, Cedar Street Reconstruction, for a sum not to exceed \$1,767,922.

2.b. Authorize the Director of Public Works to issue Orders on Contract to Deering Construction, Inc. for Project RD 2012-1, Cedar Street Reconstruction, for a sum not to exceed \$176,792.00. Account Nos. 09-11-040-40270-0-5777-C0484 (\$175,000) 09-09-040-40210-0-5777-C0443 (\$40,000) 09-10-040-40210-0-5777-C0443 (\$1,483,650) 09-14-040-40210-0-5777-C0021 (\$246,064)

3.a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with New York Bituminous Products Corporation for Project No. PM 2013-3 Crack Sealing at Various Locations, for a sum not to exceed \$238,500.

3.b. Authorize the Director of Public Works to execute orders on the Contract with New York Bituminous Products Corporation for Project No. PM 2013-3 Crack Sealing at Various Locations, for a sum not to exceed \$23,850. Acct No. 0913 4021 5777 C0021.

4. Authorize the Mayor, Richard A. Moccia, to execute a grant/service agreement with Southwest Conservation District for the CT DEEP Clean Water Act Section 319h Nonpoint Source Grant “Project #08—04c, 09-04c, 10-01c Southwest Conservation District WBP Implementation – City of Norwalk Stormwater Tree Filters.”

B. LAND USE & BUILDING MANAGEMENT COMMITTEE

2a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with HB Communications Inc. for the supply and installation of audio/visual equipment for the new Fire Headquarters Emergency Operation Center (EOC) and associated offices for a total not to exceed \$240,907. Acct. # 09123110 5777 C0466

2b. Authorize the NFCC to issue Change Orders on Contract for a total not to exceed \$8,000.

3. Authorize the Mayor, Richard A. Moccia, to execute an Amendment to extend the existing Lease Agreement with The Center for Contemporary Printmaking for the use of Mathews Park Carriage House and Gardener’s Cottage, for 10 years (from February 1, 2015 to January 31, 2025). Remaining terms of the Lease to remain unchanged.

4.* Authorize the Mayor, Richard A. Moccia, to execute a ten-year Lease Agreement with Norwalk Historical Society for the use of Lockwood House and the management responsibilities of the City of Norwalk - Museum Collection. Lease terms - refer to letter and attachment from David Westmoreland, Chairman, Norwalk Historical Commission dated May 22, 2013.

****On consent to be sent back to Committee for review by the Finance Dept.***

*It is noted that Mr. Kimmel requested to have a condition for item VII.C4 to be reviewed by the Finance Department prior to then be on the agenda for the next regular Common Council meeting in June. Mr. Kimmel stated that his concern was how it will affect the time frame for moving the lease forward and he wants to have it in place for approval at the second Council meeting in June. Mayor Moccia noted and Mr. Hamilton has ideas on how to simplify the process.

5. Authorize the Mayor, Richard A. Moccia, to execute any and all documents necessary with the State of Connecticut for the acceptance and implementation of a Department of Social Services grant for an asbestos floor tile remediation project for the Norwalk Senior Center at Roosevelt Center, in an amount of \$47,750.

VII.B1. Approve the Americans with Disabilities Act Self Evaluation:
Compliance & Transition Plan dated February 2013

Mayor Moccia asked Adam Bovilsky, Director of the Human Relations Department to come forward to address questions and comments.

Mr. Bondi asked about the Health Department issues with non-compliance and Mr. Bovilsky replied that he has worked with Mr. Callahan the director to address the handicap access to bathrooms. He noted that there are funds in the Capital Improvement budget to address this as one of the top priorities with the improvement and compliance plan.

Mr. Kimmel asked about the comparison to building standards for renovation such as the Police Department. Mr. Bovilsky replied that yes, the plan is incorporated into any City building plan for major renovation or upgrade. He added that the Police Department did an excellent job with the building as a whole and one of the only minor issues is the handicap bathroom in the area of the holding cells. He added that a few minor curb cuts from the parking lot into the building are included in the plan for improvements.

Mr. Miklave asked if we adopt all of the recommendations if the estimate of \$222,000 is covered in the Capital Improvements Budget. Mr. Bovilsky explained that there is \$250,000 in next year 2013-14 Capital Budget, which is a start to address the primary recommendations in phase I. He added that the other areas would then be addressed over a number of years.

Mr. Miklave asked about the Police Department and since it was a major new building in the City why it is not fully ADA compliant. He asked if there was a plan to investigate whether the architect would be liable to correct those areas that are not in compliance. Mr. Bovilsky clarified the question on whether there would be attempts to seek alternative sources of funding and he referred to grants from the Mayors Office and through CDBG applications. Mr. Miklave asked again if there would be an investigation into whether projects were completed in violation of the ADA Compliance Act, and Mr. Bovilsky stated that there may be areas that could be looked into.

Mr. Bovilsky explained that this is one of the reasons for the undertaking of the study and for the resulting request for the City to adopt this ADA Compliance Plan.

Mr. Hempstead thanked Mr. Bovilsky for pulling together this document that it took a great deal of time and research into all of the municipal buildings.

Mayor Moccia thanked Mr. Bovilsky for the effort involved with this ADA Compliance project and he looks forward to making these important improvements.

**** MR. BONDI MOVED TO ADOPT THE AMERICANS WITH DISABILITIES
ACT SELF EVALUATION: COMPLIANCE & TRANSITION PLAN DATED
FEBRUARY 2013.**

**** MOTION PASSED UNANIMOUSLY.**

IX. MOTIONS POSTPONED TO A SPECIFIC DATE - none

X. SUSPENSION OF RULES - none

XI. ADJOURNMENT

**** MR. MCCARTHY MOVED TO ADJOURN.**

**** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Marilyn Knox,
Telesco Secretarial Services