

COMMON COUNCIL AGENDA OCTOBER 8, 2013
NORWALK, CONNECTICUT 8:00 P.M. EST. 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

II. ACCEPTANCE OF MINUTES

Regular Meeting:

September 24, 2013

III. PUBLIC PARTICIPATION

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS:

APPOINTMENTS:

REAPPOINTMENTS: Diane Beltz-Jacobson, Assistant Corporation

Counsel

MAYOR'S REMARKS:

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS

RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS:

APPOINTMENTS:

REAPPOINTMENTS:

B. CONSENT CALENDAR

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

Prepared by: Erin Herring, City Clerk Updated: 10/4/2013 12:01:07 PM

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A. CORPORATION COUNSEL

B. BOARD OF ESTIMATE AND TAXATION

VII. COMMON COUNCIL COMMITTEES

A. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE

1. Authorize the Mayor, Richard A. Moccia, to execute an agreement with BadgeQuest, to conduct the Police promotional testing for rank of Detective, for a sum not to exceed \$10,000 from

Account #013040-5258
2. Authorize the Purchasing Agent to execute a purchase order, on behalf of the Norwalk Police Department, to
MHQ, the low bidder, for the purchase of three 2014 Ford Utility Police Interceptors, for the amount not to
exceed \$80,000.

Account # 013053-5371
3. 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 Transportation, under the Highway Safety Project, FY
2014 Comprehensive DUI Enforcement Program. The program will be funded with 75% grant funds of
\$72,975.00, account to be determined, and 25% City funds of \$24,325.00 to be taken out of Police overtime or
asset forfeiture funds.
4. Authorize the Police Chief, Thomas E. Kulhawik, to execute any and all agreements, documents, instruments
and amendments thereto as may be necessary to implement the FY 2014 Comprehensive DUI Enforcement
Program, pursuant to such grant funding.

B. PUBLIC WORKS COMMITTEE

- 1.a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Structural Contracting Services, Inc. for Project DPW 2013-1 Norwalk Transfer Station Wall and Concrete Repairs for a sum not to exceed \$72,000.00.
- 1.b. Authorize the Director of Public Works to issue Orders on Contract to Structural Contracting Services, Inc. for Project DPW 2013-1 Norwalk Transfer Station Wall and Concrete Repairs for a sum not to exceed \$7,200.00.

Account No. 0914 4031 5777 C0515

- 2. Authorize the Director of Public Works to install historic “Oysterman’s Row” signs on the street sign poles at nine intersections as requested by the Rowayton Historical Society.

C. LAND USE & BUILDING MANAGEMENT COMMITTEE

- 1. Authorize the Mayor, Richard A. Moccia, acting together with the Maritime Aquarium at Norwalk Authority, collectively as landlord, to execute an Amended and Restated Lease Agreement with the Maritime Aquarium at Norwalk, Inc., for the North Water Street Property comprising the Maritime Aquarium. The terms and conditions of the Agreement shall be subject to approval by the Norwalk Corporation Counsel.
- 2. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with ePlus Technology, Inc. for the supply and installation of Wireless Local Area Network (WLAN) for 19 school buildings as follows:
 - Phase I - K-8 for a total not to exceed \$869,357.15
 - Acct. #09135010 5777 C0112 - \$479,752.00
 - Acct. #09145010 5777 C0112 - \$389,605.15
 - Phase II - High Schools for a total not to exceed \$587,555.55
 - Acct. #09145010 5777 C0112 - \$110,394.85
 - Acct. # 09145010 5777 C0538 (Common Core) - \$300,000.00
 - WiFi Project Carry Over (Acct. #To be Determined) - \$177,160.70
- 3a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Better Homes Bureau LLC for the Bell Tower Restoration Project at Mill Hill for a total not to exceed \$17,786.13. Acct. #09146310 5777 C0374.
- 3b. Authorize the Historical Commission to issue Change Order on Contract for a total not to exceed \$5,000

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- 4a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Domus Constructors LLC for the Roof Leak Repair project at Lockwood Mathews Mansion for a total not to exceed \$99,000.00.
Account #09136310 5777 C186.
- 4b. Authorize the Historical Commission to issue Change Orders on Contract for a total not to exceed \$10,000.00.
5. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Peterson Engineering Group, LLC to prepare an integrated HVAC and energy assessment of City Hall, for a total amount not to exceed \$49,250.00. Acct. #09107100 5777 C0119
- 6a. Authorize the Mayor, Richard A. Moccia, to execute an Amendment to A.P. Construction Company's agreement for the implementation of the Naramake School Improvement Project, to incorporate a Guaranteed Maximum Price (GMP) in the amount of \$3,851,979.00. Account #'s 09045010 5777 C0321 & Special Appropriation for State share - acct. # to be determined.
- 6b. Authorize the NFCC to issue change orders on contract for a total not to exceed \$203,598.00.

D. PLANNING COMMITTEE

1. Approve Minutes of the Regular Meeting of the Planning Committee of September 5, 2013.
2. Authorize advancement of CAPER for 30-day public comment.
3. Approve the Norwalk Housing Authority requested modification of the Option to Purchase Agreement for 13 and 20 Day Street.
4. Approve the recommended terms regarding the intended Smith Street Option Agreement by and between the City of Norwalk and M. F. DiScala and Company and condition such approval upon the Common Council's approval of the final Option Agreement containing the referenced terms to be advanced by Corporation Counsel.
5. Adoption of Academy Street Extension Resolution.

VIII. RESOLUTIONS FROM COMMON COUNCIL

**Resolution in Support of Designating the Woodlands of Oak Hills Park as Open Space to be Preserved, Conserved, and Protected from Development in Perpetuity
Submitted by Councilwoman Anna Duleep**

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WHEREAS, Oak Hills Park Authority was created by the Common Council in 1997 for the purpose of acquiring, constructing, operating, maintaining, and managing Norwalk's Oak Hills Park, in accordance with Sections 7-130a-w of the Connecticut General Statutes; and

WHEREAS, the City of Norwalk accepted money from the Land and Water Conservation Fund and other sources for the purpose of acquiring land now known as Oak Hills Park; and

WHEREAS, Section 6(f)(3) of the Federal Land and Water Conservation Act includes an "anti-conversion" requirement to protect grant-assisted lands from development; and

WHEREAS, during his tenure as Oak Hills Park Authority Chairman, Robert J. Virgulak wrote a letter to the editor, entitled, "Oak Hills does not receive dollar one from the city," which was published by The Hour on December 19, 2012; and

WHEREAS, Mr. Virgulak, in his capacity as Oak Hills Park Authority Chairman, wrote, "Oak Hills was never intended to actually be a park...As I was told, the park designation was needed to secure federal and state funds for the construction"; and

WHEREAS, in accordance with Section 7-130r of the Connecticut General Statutes (Financial aid by municipality), the Oak Hills Park Authority has, from time to time, sought loans and other financial assistance from the City of Norwalk; and

WHEREAS, on February 26, 2013 the Norwalk Common Council voted to approve the following item: "RESOLVED, that a sum not to exceed \$150,000 be and the same is hereby transferred from Contingency to the Oak Hills Park Authority to cover operating expenses"; and

WHEREAS, at its July 15, 2013 meeting, the Norwalk League of Women Voters Steering Committee voted "to oppose the destruction of the 7 to 10 acres of city-owned pristine woodlands inside Oak Hills Park east of the Oak Hills restaurant parking lot"; and

WHEREAS, at its August 15, 2013 meeting, Oak Hills Park Authority voted unanimously to pursue further negotiations with Total Driving Range Solutions to build a driving range on a part of Oak Hills Park other than those 7 to 10 acres of pristine woodlands near the restaurant; and

WHEREAS, at least 230 people so far have signed a petition, entitled, "Protect Oak Hills Woodlands as Permanent Open Space," which states, "While we applaud Oak Hills Park Authority's decision not to destroy the woodlands at this time, we don't want to have to fight this fight again. Therefore we call upon Norwalk's Mayor, Common Council, Oak Hills Park Authority, and other governing bodies to designate the woodlands in Oak Hills Park as permanent open space, to be preserved, conserved, and protected from development in perpetuity."

NOW, THEREFORE, BE IT RESOLVED BY THE NORWALK COMMON COUNCIL THAT we take very seriously any obligations incurred by the City and Oak Hills Park Authority as a

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condition of accepting money from the Land and Water Conservation Fund and other sources for the purpose of acquiring land to form Oak Hills Park; and

NOW, THEREFORE, BE IT RESOLVED BY THE NORWALK COMMON COUNCIL THAT we affirm that Oak Hills Park was created to be a public park, whose amenities include, but are not limited to, its golf course; and

NOW, THEREFORE, BE IT RESOLVED BY THE NORWALK COMMON COUNCIL THAT we encourage Oak Hills Park Authority, the Conservation Commission, and future members of the Norwalk Common Council to take appropriate steps to ensure the 7 to 10 acres of pristine woodlands located near the restaurant parking lot inside Oak Hills Park be declared protected open space in perpetuity.

- IX. **MOTIONS POSTPONED TO A SPECIFIC DATE**
- X. **SUSPENSION OF RULES**
- XI. **ADJOURNMENT**

APPOINTMENTS

REAPPOINTMENTS

CORPORATION COUNSEL _____ **M/C** _____ **NWLK**
CHARTER 63-5 _____

**COMMON COUNCIL
NORWALK, CONNECTICUT**

AGENDA

OCTOBER 8, 2013

8:00 P.M. EST. COUNCIL CHAMBERS

DIANE BELTZ-JACOBSON

10/31/15

8 Richmond Hill Road

Weston, CT 06883

Term expires -