

Common Council Actions

COMMON COUNCIL

ACTION

March 27, 2001

MAYOR ESPOSITO CALLED THE MEETING TO ORDER AT 8:17 P.M. & LED THE ASSEMBLY IN RECITING THE PLEDGE OF ALLEGIANCE.

**I. ROLL CALL 14 PRESENT; 1 ABSENT
(WILMS)**

II. ACCEPTANCE OF MINUTES

A. March 13, 2001 Regular Meeting. ACCEPTED

III. PUBLIC PARTICIPATION 4 SPEAKERS

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

REAPPTS: SHELLFISH COMM: J. FRANK, R. SEARLES

APPROVED

B. REMARKS

1. Re: Reed Putnam. Mayor commended the Council for their hard work on this Project and complimented Asst. Corp. Counsel Attorney Diane Beltz-Jacobson, who drafted the Agreement. He supports this Project & is seeking support from all segments of the community and urged the end to the political haggling so the project can move forward.

V. COUNCIL PRESIDENT

A. CONSENT CALENDAR ADOPTED AS PRESENTED & CORRECTED

Items approved on Consent: VII.B.1-3; VII.C., VII.D.1-3; VII.E.1, 3, 6-9

B. OTHER GENERAL COUNCIL BUSINESS

1. *Mr. Nolin reminded the Council to submit resumes re vacancies on Oak Hills Park Authority.*

2. *Announced Planning Committee Capital Budget schedule: Departmental Reviews 3/28 at 7pm in Council Chambers & Public Hearing 3/29 7:30 p.m. at Brien McMahon High School.*

VI. **REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS**
NONE

VII. **COMMON COUNCIL COMMITTEES**

A. **PUBLIC WORKS**

1. Authorize the Mayor, Frank J. Esposito, to execute an Agreement with the Third Taxing District for maintenance and repair of the primary electrical power lines and stand-by generator (at no cost to the City of Norwalk.)

AUTHORIZATION GRANTED

B. **LAND USE & BUILDING MANAGEMENT**

1. Authorize the Mayor, Frank J. Esposito, to execute any and all documents necessary in support of Lockwood Mathew's Mansion request for grant funding from the U.S. Department of Interior under the "Save America's Treasures" program, for an amount not to exceed \$500,000.00.

AUTH. GRANTED

2. Authorize the Mayor, Frank J. Esposito, to execute an Amendment to the City's Lease with Valentine D. Dowd for Unit #1 at 35 Smith Street (Old Smith Street Jail), extending the term for one additional year. All remaining terms of the Agreement to remain unchanged.

AUTHORIZATION GRANTED

3. Authorize the Mayor, Frank J. Esposito, to execute an Amendment to the City's Lease with Richard A. Winfield for Unit #2 at 35 Smith Street (Old Smith Street Jail), extending the term for one additional year. All remaining terms of the Agreement to remain unchanged.

AUTHORIZATION

GRANTED

C. CLAIMS

1. Accept and approve the report of the Claims Committee, dated March 20, 2001.

ACCEPTED/APPROVED

D. FINANCE

1. Approve the reduction of the Capital Budget Appropriation for the Oak Hills Golf Course Building #2, 3, 7, 16 Greens Project, for the sum of \$111,597.00.

Account No. 026110-5777-C0093

APPROVED

2. Approve the Special Capital Appropriation for the Oak Hills Golf Course Golf Cart Paths Project, for the sum of \$111,597.00.

Account No. 026110-5777-C0208

APPROVED

- 3a. Authorize the Mayor, Frank J. Esposito, to execute any and all documents necessary to apply for and accept grant funds from the State of Connecticut Office of Policy and Management under the FY2001 Local Capital Improvement Fund (LoCIP), in the amount of \$616,304.00.

AUTHORIZATION GRANTED

- 3b. Authorize the Mayor, Frank J. Esposito, to execute any and all agreements, documents, instruments or amendments thereto as may be necessary to implement a FY2001 Local Capital Improvement Program (LoCIP), pursuant to the above grant.

AUTHORIZATION GRANTED

E. RECREATION, PARKS & CULTURAL AFFAIRS

1. Approve the Recreation and Parks Department 2001 Facilities and Usage fees, including the Harbor Mooring fees. **APPROVED AS AMENDED: PROGRAM PARTICIPATION FEES WILL BE DIRECTED INTO A DEDICATED ACCOUNT FOR THE RECREATION & PARKS DEPARTMENT.**

2. Authorize the Mayor, Frank J. Esposito, to execute a License Agreement with DEBO Foodservice for the operation of the Calf Pasture Beach food concession, for an amount not to exceed \$6,250.00. Terms shall be as approved by the Recreation, Parks and Cultural Affairs Committee.

AUTH. GRANTED

3. Authorize the Mayor, Frank J. Esposito to execute an Agreement with N.E.O.N. and its delegate agency, the South Norwalk Community Center, for the use of the grounds of Columbus Magnet School as a recreational area for its Summer 2001 Day Camp. The day Camp will run weekdays from Monday, July 2nd through Friday, August 10th, 2001 from 8:30 a.m. - 2:30 p.m. Anticipated daily attendance is 105-125 participants.

AUTHORIZATION GRANTED

4. Authorize the Mayor, Frank J. Esposito, to execute an Amendment to the City's Agreement with the Norwalk Small Craft Safety Training Program Inc., d/b/a Norwalk Sailing School, for the use a portion of Calf Pasture Beach adjacent to the Coast Guard Auxiliary Building for its training facility. This Amendment extends the term of the Agreement for an additional one-year period, beginning July 1, 2001 and ending June 30, 2002. All remaining terms of the Agreement shall remain unchanged.

AUTHORIZATION GRANTED AS AMENDED: ALL PARTICIPANTS IN THE PROGRAM ARE REQUIRED TO COMPLY WITH THE EXISTING RULES & REGULATIONS FOR USE OF CALF PASTURE BEACH, INCL. THE PERMIT & FEE REQUIREMENTS OF THE CITY.

5. Authorize the Mayor, Frank J. Esposito, to execute an Agreement with Bethel A.M.E. Church for the use of Andrews' Field Parking lot to hold its annual Juneteenth Carnival Celebration from Thursday, June 14th through Sunday, June 17th, 2001. The Carnival will run from 5:30 p.m.-10:30 p.m. June 14th & 15th, 12:00 p.m.-10:30pm June 16th, and from 1:00 p.m.-5:00 p.m. June 17th. Set up will begin at 8:00 a.m. on June 12th with breakdown completed by 12:00 p.m. June 18th. Estimated attendance is 500.

TABLED TO NEXT COUNCIL MTG (PENDING DATES OF NHS & BMHS GRADUATIONS)

6a. Approve the request of the Puerto Rican Parade of Norwalk, CT Inc. for the use of Calf Pasture Beach and Veterans' Park for its annual "El Coqui Road Race" on Sunday, June 10, 2001 from 5:00 a.m. – 8:30 a.m. Estimated attendance is 100.

APPROVED

6b. Approve the request of the Puerto Rican Parade of Norwalk, CT Inc. for the use of Veterans' Park for its annual Puerto Rican Day Parade and closing ceremonies on Sunday, June 24, 2001 from 2:00 p.m. – 7:00 p.m. Estimated attendance is 2000.

APPROVED

6c. Approve the request of the Puerto Rican Parade of Norwalk CT Inc. for the use of the Showmobile on Sunday, June 24, 2001 for its Puerto Rican Day Parade Festivities at Veterans' Park.

APPROVED

7. Authorize the Mayor, Frank J. Esposito, to execute an Agreement with the Weed and Seed Initiative for the use of Ryan Park for its annual C.U.R.E. Carnival from Thursday, August 23rd through Sunday, August 26th, 2001. The Carnival will run from 5:00 p.m.–12:00 a.m. daily. Set-up will begin on Monday, August 20th with breakdown completed by 12:00 p.m. Monday, August 27th. Estimated attendance is 300.

&

8. Approve the request of the Heritage Park Advisory Board for the use of Heritage Park for the Park's Opening Ceremonies on Saturday, June 2, 2001 from 8:00 a.m. – 11:00 p.m. Estimated attendance is 1,500.

AUTHORIZATION GRANTED

9a. Authorize the Mayor, Frank J. Esposito, to execute an Agreement with CW Pond Electrical Contractors for Project No. HP2000-3, Electrical Additions and Modifications at Oyster Shell Park and Heritage Park, for a sum not to exceed \$175,471.87.

AUTHORIZATION

GRANTED

9b. Authorize the Director of Public Works to issue Orders on Contract to CW Pond Electrical Contractors for Project No. HP2000-3, Electrical Additions and Modifications at Oyster Shell Park and Heritage Park, for a sum not to exceed \$15,778.00.

Account No. 02 40 40 5777 C0206

02 40 40 5777 C0207

AUTHORIZATION GRANTED

F. PLANNING

1. Approve of the Land Disposition and Development Agreement By and Among the City of Norwalk, the Norwalk Redevelopment Agency, and French Norwalk LLC, for Reed-Putnam Area - Development Parcels 1, 2 and 4, and all recitals and acknowledgements set out therein.

APPROVED

2. Authorize the Mayor, Frank J. Esposito, to execute the Land Disposition and Development Agreement By and Among the City of Norwalk, the Norwalk Redevelopment Agency, and French Norwalk LLC, for Reed-Putnam Area - Development Parcels 1, 2 and 4, and any and all documents, agreements, and instruments as may be necessary in connection therewith, in order to perform and fulfill the City's obligations thereunder.

AUTHORIZATION GRANTED

3. Authorize the Mayor, Frank J. Esposito, to execute the Effective Date Agreement in order to document the satisfaction and/or waiver of the Effective Date Conditions pursuant to Section 2.2 of the Land Disposition and Development Agreement By and Among the City of Norwalk, the Norwalk Redevelopment Agency, and French Norwalk LLC, for the Reed-Putnam Redevelopment Project, in the form of Exhibit M, attached thereto (Section 2.2, para. A).

AUTHORIZATION GRANTED

4. Authorize the Mayor, Frank J. Esposito, to execute any and all contracts and other documents, and any amendments thereto, as may be needed for the

implementation of the design, bidding and construction of the Infrastructure Improvements set out in Article 3, Section 3.1, of the Land Disposition and Development Agreement.

AUTHORIZATION GRANTED

5. Authorize the Mayor, Frank J. Esposito, to execute an Agreement with a professional Traffic Consultant to perform the professional services needed for the following: preparation of a Traffic Study described in Section 3.2, para. A; application to the State Traffic Commission for approval of the plan to implement the Infrastructure Improvements pursuant to Section 3.2, para. B; preparation of updated, detailed estimates of the costs to construct the Infrastructure Improvements as set out in Section 3.3, para. C of the Land Disposition and Development Agreement.

AUTHORIZATION

GRANTED

6. Authorize the Mayor, Frank J. Esposito, to execute an Agreement with an independent professional engineer or engineering firm for value engineering services related to the design specifications for the Infrastructure/Necessary Traffic Improvements pursuant to Section 3.3, para. C, of the Land Disposition and Development Agreement.

AUTHORIZATION GRANTED

7. Approve the authorization for and appropriation of Seven Million Three Hundred Ninety-Five Thousand Dollars (\$7,395,000.00) to be expended in connection with the City's obligations under the Land Disposition and Development Agreement (Section 3.4, para. A) which amount shall include the following:

a) Authorize the payment of City funds to French Norwalk LLC up to the amount of Seven Hundred Fifty Thousand Dollars (\$750,000.00) to serve as the "Environmental Fund" pursuant to Section 6.4, para. A, of the Land Disposition and Development Agreement. **AUTHORIZATION**

GRANTED

b) Authorize the payment of City funds to French Norwalk LLC up to the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) to serve as the "Utility/Street Fund" pursuant to

Section 5.6, para. (c) of the Land Disposition and Development Agreement.

AUTHORIZATION GRANTED

8. Authorize the Mayor, Frank J. Esposito, to execute any and all applications, agreements, and other documents, including any amendments or supplements thereto, as may be necessary and/or desirable in order to apply for and accept State funding for any of the City's financial obligations pursuant to the Land Disposition and Development Agreement and the Reed-Putnam Redevelopment Project.

AUTHORIZATION

GRANTED

9. Authorize the Mayor, Frank J. Esposito, to execute the Tax Abatement/Fixing Agreement to fix the real property taxes that will otherwise be due from French Norwalk LLC, pursuant to the terms and conditions set out in Section 3.4, para. B, of the Land Disposition and Development Agreement and Exhibit N attached thereto.

AUTHORIZATION GRANTED

10. Authorize the combination of Development Parcels 1 and 2 into a single parcel upon the request of French Norwalk LLC, as envisioned in the Redevelopment Plan for the Reed-Putnam Redevelopment Project, pursuant to Section 4.4, para. A, of the Land Disposition and Development Agreement subject to all required governmental proceedings and approvals.

AUTHORIZATION GRANTED

11. Authorize the City of Norwalk to take all steps necessary to acquire by eminent domain all real property needed in connection with the Reed-Putnam Redevelopment Project, as its obligations are set out in Sections 5.4 and 5.5 of the Land Disposition and Development Agreement. **AUTHORIZATION GRANTED**

12. Section 8-24 review and approval of the acquisition of real property by the City of Norwalk by means of eminent domain proceedings and/or purchase/sale transaction in connection with the Reed-Putnam Redevelopment Project as shown on the map entitled, "Property Acquisition/Disposition Pursuant To Land Disposition and

Development Agreement By and Among The City of Norwalk, The Norwalk Redevelopment Agency, and French Norwalk LLC - Reed Putnam Development Parcels 1, 2 and 4" prepared by the Norwalk Redevelopment Agency on February 9, 2001.

APPROVED

13. Authorize the Mayor, Frank J. Esposito, to execute any and all contracts, agreements and other documents, and any amendments thereto as may be necessary to formalize the purchase of private property necessary in connection with the Reed-Putnam Redevelopment Project pursuant to Section 5.4 of the Land Disposition and Development Agreement. **AUTHORIZATION GRANTED**

14. Authorize the Mayor, Frank J. Esposito, to execute any and all contracts, agreements and other documents and/or any amendments thereto as may be necessary in order to hire a Licensed Environmental Professional firm to perform testing, surveying, and inspections of all properties to be acquired in connection with the Reed-Putnam Redevelopment Project. (The costs and expenses of such LEP firm will be reimbursed by French Norwalk LLC) (Section 5.4, para. A)

AUTHORIZATION GRANTED

15. Authorize the Mayor, Frank J. Esposito, to execute any and all contracts and agreements with licensed surveyors to survey the real property to be acquired pursuant to the Reed-Putnam Redevelopment Project. (Section 5.4, para. A)

AUTHORIZATION GRANTED

16. Authorize the Mayor, Frank J. Esposito, to execute any and all documents necessary to authorize the City, its agents, consultants and contractors, to enter upon private property in order to perform necessary environmental testing, inspections, and assessments in connection with the Reed-Putnam Redevelopment Project. (Section 5.4, para. A)

AUTHORIZATION GRANTED

17. Authorize the Mayor, Frank J. Esposito, to execute a License Agreement, pursuant to Section 5.4 A of the Land

Disposition and Development Agreement, granting to French Norwalk LLC and its agents any delegable rights that the City may have to enter upon private property to be acquired in connection with the Reed-Putnam Redevelopment Project, in order to perform environmental testing and inspections pursuant to the terms of the Land Disposition and Development Agreement. (Section 5.4, para. A) **AUTHORIZATION GRANTED**

18. Authorize the Mayor, Frank J. Esposito, to execute any and all contracts and agreements necessary to retain the services of one or more professional real estate appraisers to prepare a report on the Fair Market Value of the real property to be acquired by means of eminent domain in connection with the Reed-Putnam Redevelopment Project. (Section 5.4, para. B) **AUTHORIZATION GRANTED**

19. Authorize the Mayor, Frank J. Esposito, to execute any and all documents necessary to acquire real property in connection with the construction of the public works project known as the "Reed Street Extension and Underpass Project". Such property is presently anticipated to be the parcel known as District 2, Block 18, Lot 26, a/k/a Reed Street Extension Property; and may also include the parcel known as District 2, Block 21, Lot 21, a/k/a the "51 West Lot". (Section 5.4, para. G)

AUTHORIZATION GRANTED

20. Section 8-24 review and approval of the acquisition by the City of real property necessary in connection with the construction of the public works project known as the "Reed Street Extension and Underpass Project". Such property is presently anticipated to be the parcel known as District 2, Block 18, Lot 26, a/k/a Reed Street Extension Property; and may also include the parcel known as District 2, Block 21, Lot 21, a/k/a the "51 West Lot".

APPROVED

21. Authorize the Mayor, Frank J. Esposito, to execute any and all documents necessary to acquire real property for the purpose of constructing the public works project known as the "Pine Street Extension". Such property is presently anticipated to be the parcels known as District 2, Block 21, Lot 7, situated at 45 West Avenue, and District 2, Block 21,

Lot 13, situated at 14 Putnam Avenue. (Section 5.4, para. H)

AUTHORIZATION GRANTED

22. Section 8-24 review and approval of the acquisition by the City of real property necessary in connection with constructing the public works project known as the "Pine Street Extension". Such property is presently anticipated to be the parcels known as District 2, Block 21, Lot 7, situated at 45 West Avenue, and District 2, Block 21, Lot 13, situated at 14 Putnam Avenue.

APPROVED

23. Authorize the Mayor, Frank J. Esposito, to execute any and all contracts, and documents and any and all amendments thereto as may be necessary for the performance of all demolition, construction and other work related to the public works projects known as the "Reed Street Extension and Underpass Project" and the "Pine Street Extension". (Section 5.4)

AUTHORIZATION GRANTED

24. Section 8-24 review and approval of the "Reed Street Extension and Underpass" public works projects.

APPROVED

25. Authorize the Mayor, Frank J. Esposito, to execute any and all documents necessary for the City to sell to French Norwalk LLC any surplus land area not utilized in connection with the "Reed Street Extension and Underpass Project" and the "Pine Street Extension Project", for the fair market value of such land at the time of the sale. This authorization shall include the sale by the City to French Norwalk LLC of the real property known as District 2, Block 21, Lot 21, a/k/a the "51 West Lot" to French Norwalk LLC for the price established according to Section 5.4, para. G, subpara. 3, of the Land Disposition and Development Agreement.

AUTHORIZATION

GRANTED

26. Section 8-24 review and approval of the sale by the City to French Norwalk LLC of any surplus land area not utilized in connection with the "Reed Street Extension and Underpass Project" and the "Pine Street Extension Project",

for the fair market value of such land at the time of the sale. This approval shall include the sale by the City to French Norwalk LLC of the real property known as District 2, Block 21, Lot 21, a/k/a the "51 West Lot" to French Norwalk LLC for the price established according to Section 5.4, para. G, subpara. 3, of the Land Disposition and Development Agreement.

APPROVED

27. Authorize the City to take by eminent domain such real property belonging to French Norwalk LLC or to any affiliate of French Norwalk LLC in connection with the Reed-Putnam Redevelopment Project, pursuant to Section 5.4.I of the Land Disposition Agreement. (All expenses and costs incurred in connection with such eminent domain proceeding shall be reimbursed by French Norwalk LLC) (Section 5.4, para. I)

AUTHORIZATION GRANTED

28. Authorize the Mayor, Frank J. Esposito, to execute any and all documents necessary to reconvey to French Norwalk LLC such real property taken by eminent domain in connection with the Reed-Putnam Redevelopment Project. (Section 5.4, para. I)

AUTHORIZATION GRANTED

29. Authorize the Mayor, Frank J. Esposito, to execute any and all documents in connection with the exercise of the City's power of eminent domain to acquire real property within the Reed-Putnam Project Area, consistent with 5.5.C of the Land Disposition and Development Agreement and as provided in Section 8-138 of the Connecticut General Statutes.

AUTHORIZATION GRANTED

30. Approve and authorize the City to undertake the discontinuance, abandonment and demapping of the public streets and rights of way designated in the Redevelopment Plan for the Reed-Putnam Project Development Parcels 1, 2 and 4, subject to all required governmental proceedings and approvals. The streets and rights of way presently intended to be abandoned and demapped as City streets include Putnam Avenue North, Putnam Avenue South and Crescent Street. (Section 5.6)

APPROVED/ AUTHORIZATION GRANTED

31. Review of the abandonment, discontinuance and demapping of those portions of the public rights of way and streets as designated in the Redevelopment Plan for the Reed-Putnam Project, (currently including Putnam Avenue North, Putnam Avenue South and Crescent Street) and the release and/or conveyance of the City's interests in the same to French Norwalk LLC, subject to all required governmental proceedings and approvals, including a Final review and approval pursuant to C.G.S. Section 8-24 by the Planning Commission. **APPROVED**

32. Authorize the Mayor, Frank J. Esposito, to execute any and all documents, including releases and/or quit-claim deeds as may be necessary and appropriate in connection with the release and conveyance of the City's interests in such real property comprising the abandoned public streets and rights of way comprising Putnam Avenue North, Putnam Avenue South and Crescent Street to French Norwalk LLC.

AUTHORIZATION GRANTED

33. Authorize the conveyance to French Norwalk LLC of the City's interests in those parcels of land located in the area east of the easterly boundaries of Block 18, Lots 3, 23, 25, 26, 29, and 31 and located west of the right of way of the Danbury Branch Railroad tracks, which were formerly part of Pine Street. (Section 5.6 (a))

AUTHORIZATION GRANTED

34. Authorize the Mayor, Frank J. Esposito, to execute any and all documents, including releases and quit-claim deeds as may be necessary and appropriate in connection with the conveyance or release of the City's interest in such real property listed above to French Norwalk LLC pursuant to Section 5.6, para. (a) of the Land Disposition and Development Agreement. **AUTH.**

GRANTED

35. Section 8-24 review and approval of the conveyance by the City to French Norwalk LLC of those parcels of land located in the area east of the easterly boundaries of Block 18, Lots 3, 23, 25, 26, 29 and 31 and located west of the right of way of the Danbury Branch Railroad tracks, which were formerly part of Pine Street as shown on a map entitled, "Property Acquisition/Disposition Pursuant To

Land Disposition and Development Agreement By and Among The City of Norwalk, The Norwalk Redevelopment Agency, and French Norwalk LLC - Reed Putnam Development Parcels 1, 2 and 4" prepared by the Norwalk Redevelopment Agency on February 9, 2001.

APPROVED

36. Review of the readjustment, relocation and/or removal of any public utilities or public service facilities necessitated by the discontinuance of City streets pursuant to and/or as may be necessary or appropriate in connection with the Reed-Putnam Redevelopment Plan. (Section 5.8) (Subject to all required governmental proceedings and approvals, including a Final review and approval pursuant to C.G.S. Section 8-24 by the Planning Commission).

APPROVED

37. Authorize the Mayor, Frank J. Esposito, to execute any and all documents, including contracts and amendments thereto, with any and all contractors, suppliers and other service providers necessary, in connection with: 1) the provision of storm sewer and sanitary sewer facilities and potable water facilities to the perimeter of the Reed-Putnam Project Site; 2) the construction of a new segment of sanitary sewer pipe to connect existing sanitary sewer facilities located on Development Parcel 2, just west of the Danbury Branch railroad tracks to existing sanitary sewer facilities located just east of the Danbury Branch railroad tracks; 3) the installation of a new underground conduit/duct system in the realigned Reed Street and the Reed Street Extension, from West Avenue to Riverside Drive [into which conduit/duct system SNEW will be permitted to install new electrical transmission facilities]; and 4) the installation of public utilities in the Pine Street Extension to provide service to properties located on Pine Street and former Putnam Avenue South. (Section 5.8, para. B.1.)

AUTHORIZATION GRANTED

38. Review of the following: 1) the provision of storm sewer and sanitary sewer facilities and potable water facilities to the perimeter of the Reed-Putnam Project Site; 2) the construction of a new segment of sanitary sewer pipe to connect existing sanitary sewer facilities located on Development Parcel 2, just west of the Danbury Branch

railroad tracks to existing sanitary sewer facilities located just east of the Danbury Branch railroad tracks; 3) the installation of a new underground conduit/duct system in the realigned Reed Street and the Reed Street Extension, from West Avenue to Riverside Drive, [into which conduit/duct system SNEW will be permitted to install new electrical transmission facilities]; and 4) the installation of public utilities in the Pine Street Extension to provide service to properties located on Pine Street and former Putnam Avenue South. (Section 5.8, para. B.1.)

APPROVED

39. Authorize the Mayor, Frank J. Esposito, to execute any and all documents and contracts and any amendments thereto as may be necessary in connection with the operation and management of real property acquired by the City in connection with the Reed-Putnam Project. (Section 5.9) _____

AUTHORIZATION GRANTED

40. Authorize the Mayor, Frank J. Esposito, to execute any and all documents, releases and/or deeds necessary to convey to French Norwalk LLC title to real property known as District 2, Block 18, Lot 32, for the price determined pursuant to the provisions of Section 5.10 of the Land Disposition and Development Agreement. (Section 5.10)

GRANTED

AUTHORIZATION

41. Section 8-24 review and approval of the conveyance by the City to French Norwalk LLC of title to real property known as District 2, Block 18, Lot 32, for the price determined pursuant to the provisions of Section 5.10 of the Land Disposition and Development Agreement.

APPROVED

42. Authorize the Mayor, Frank J. Esposito, to execute any and all documents and contracts and any amendments thereto as may be necessary to hire a Licensed Environmental Professional firm to perform Phase II Environmental Site Assessments on real property known as District 2, Block 18, Lot 32. (Section 5.10)

AUTHORIZATION GRANTED

43. Authorize the Mayor, Frank J. Esposito, to execute any and all documents and contracts and any amendments thereto as may be necessary to hire a Licensed Environmental Professional firm to prepare comprehensive Phase I and/or Phase II and/or Phase III Environmental Site Assessments, as needed, as well as a remediation feasibility study concerning the overall Reed-Putnam Project Site. (Section 6.1, para. A)

AUTHORIZATION GRANTED

44. Authorize the Mayor, Frank J. Esposito, to execute any and all documents, contracts and any amendments thereto as may be necessary to hire any and all contractors and service providers to perform all environmental remediation work necessary or desirable in connection with the Reed Street Extension property and/or the Pine Street Extension property and/or the Infrastructure Improvement including such land constituting the Reed-Putnam Project Site onto which existing City streets may be widened.

AUTHORIZATION GRANTED

45. Authorize the Mayor, Frank J. Esposito, to execute a License Agreement with French Norwalk LLC granting to it and/or its agents and consultants license to enter upon the Project Property, once title thereto is with the City, for the following purposes: 1) to perform the environmental site assessments and/or environmental evaluations and studies as contemplated in Sections 5.4 and 6.1 of the Land Disposition and Development Agreement; 2) to perform the remedial work as contemplated in Sections 6.2 and 6.3 of the Land Disposition and Development Agreement; 3) to perform the demolition activities contemplated in Section 6.5 of the Land Disposition and Development Agreement; 4) to perform the excavation activities as contemplated in Section 6.6 of the Land Disposition and Development Agreement; and 5) to perform other site preparation work necessary to commence construction of the Reed-Putnam Project's Phase I Improvements, including any utility relocation work, as contemplated in Section 5.8 of the Land Disposition and Development Agreement. (Section 6.7., para. A)

AUTHORIZATION GRANTED

46. Authorize the Mayor, Frank J. Esposito, to execute any and all documents necessary to convey to French Norwalk

LLC or one or more of its Affiliates, as described in the Land Disposition and Development Agreement, or any assignee permitted under Section 14.2 of the Land Disposition and Development Agreement, by one or more Quit-Claim Deed, insurable title to all parcels of the Project Property which may be owned by the City or the Norwalk Redevelopment Agency; in which the City or the Agency may have any interest; or which the City and/or the Agency acquires pursuant to the terms of Section 7.1 of the Land Disposition and Development Agreement.

AUTHORIZATION GRANTED

47. Authorize the Mayor, Frank J. Esposito, to execute and deliver written subordination agreements as requested by one or more lender providing financing to be secured by one or more parcel of condemned Project Property then encumbered by a City-held mortgage, according to the terms and conditions and for the specific purpose defined in Section 7.8, Paragraph E, of the Land Disposition and Development Agreement. (Section 7.8 para. E)

AUTHORIZATION GRANTED

48. Authorize the Mayor, Frank J. Esposito, to execute and deliver written reduction certificates and modification agreements as may be requested according to the terms and conditions and for the specific purpose defined in Section 7.8, paragraphs D and G, of the Land Disposition and Development Agreement in order to acknowledge reductions in or modifications of the City's mortgage liens and the remaining secured amounts of the City's mortgage liens on any parcel of Project Property. (Section 7.8, para. G)

AUTHORIZATION GRANTED

49. Authorize the Mayor, Frank J. Esposito, to execute and deliver such releases and/or discharges of the City's mortgages according to the terms and conditions and for the specific purpose defined in Section 7.8, paragraphs B and F, of the Land Disposition and Development Agreement. **AUTHORIZATION GRANTED**

50. a) Approve the Phase I Improvement Plan attached to the Land Disposition and Development Agreement as Exhibit J, as recited in Section 10.1B of the Agreement. Any modification to the Phase I Improvement Plan is subject to further review and

approval as set forth in the Agreement.

APPROVED

b) Approve the Conceptual Master Site Plan for the Reed-Putnam Development, Parcels 1, 2 and 4, attached to the Land Disposition and Development Agreement as Exhibit I, as recited in Section 4.4 of the Agreement. Any modification to the Conceptual Master Site Plan is subject to further review and approval as set forth in the Agreement.

APPROVED

51. Authorize the Mayor, Frank J. Esposito, to execute such amendments to or modifications of the Land Disposition and Development Agreement, or such "recognition" agreements required by one or more Institutional Lenders and/or Institutional Investors of French Norwalk LLC providing debt and/or equity financing for the Reed-Putnam Redevelopment Project, according to the terms and for the specific purposes defined in Section 15.8 of the Land Disposition and Development Agreement.

AUTHORIZATION

GRANTED

52. Authorize the Mayor, Frank J. Esposito, to execute a License Agreement with French Norwalk LLC allowing the use of Project Property for construction staging in connection with the construction of the Improvements contemplated by the Land Disposition and Development Agreement. (Section 9.3)

AUTHORIZATION GRANTED

53. Authorize the Mayor, Frank J. Esposito, to execute any and all other documents and to take any other action that may be necessary, appropriate and/or desirable in connection with the implementation of the Land Disposition and Development Agreement and the fulfillment of the City's obligations and responsibilities thereunder.

AUTHORIZATION GRANTED

G. ORDINANCE

1. Adopt the proposed amendments to Chapter §103-12, Article III – Tax Relief for the Elderly and Disabled Homeowners, of the Norwalk Code.

ADOPTED AS AMENDED: TIER 1 RELIEF INCREASED TO \$600.00; TIER 2 INCREASED TO \$550.00; AND, STIPULATION ADDED THAT THE INCOME OF ANY PERMANENT RESIDENT 25 YEARS OR OLDER BE INCLUDED IN QUALIFYING INCOME.

VIII. **RESOLUTIONS FROM COUNCIL MEMBERS** **NONE**

IX. **MOTIONS POSTPONED TO A SPECIFIC DATE**
NONE

X. **SUSPENSION OF THE RULES** **NONE**

Meeting adjourned at 10:22 P.M.

ATTEST: Mary B. Roman, City Clerk

REAPPOINTMENTS:

SHELLFISH COMMISSION **M/C**
NWLK CODE §45

FRANK, JOHN P. (D)
Term to expire 03/30/04

15 East Meadow Lane

Norwalk, CT 06851

APPROVED

SEARLES, ROBERT (U)
Term to expire 03/30/04

10 Rolling Lane

Norwalk, CT 06851

APPROVED