

Common Council Actions

COMMON COUNCIL

ACTION

DECEMBER 18, 2001

NORWALK, CONNECTICUT 8:00PM DST, 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.

The regular meeting of the Common Council of the City of Norwalk was held on Tuesday, December 18, 2001, in the Common Council Chambers, City Hall, 125 East Avenue, Norwalk, Connecticut. Mayor Alex Knopp called the meeting to order at 8:00 p.m. and then led the assembly in reciting the Pledge of Allegiance.

I. ROLL CALL

Betsy Bain

Matthew Miklave

Kenneth Baker

Jeanette Olmstead-Sawyer

Fred Bondi

Kevin Poruban

Barbara Hudgins

Judith Rivas

Bruce Kimmel

Douglas Sutton

William Krummel

Peter Wien

Joseph Mann

William Wrenn

Fourteen (14) Members were present at Roll Call.

II. ACCEPTANCE OF MINUTES

A. **Regular meeting - December 11, 2001**

The following corrections were made to the minutes:

Page 1, Acceptance of Minutes: Add the name "**Mr. Miklave**" to the abstentions.

Page 2, Public Participation: Delete the name "Mr. Steve Lewis" and insert the name "**Mr. Steve Orris**".

Page 3: Delete the phrase "Mayor Knopp requested..." insert the phrase "Mayor Knopp announce NEON appointment and SWRPA appointment".

III. PUBLIC PARTICIPATION

David Cole, 583 Belden Hill Road addressed the Council. He stated that he was a Member Elect of the Board of Education, but he was speaking tonight as a citizen with a child in the Public School District. He remarked that in the past the City had spent a lot of money patching the school roofs and some of that money could have been used to purchase textbooks. He stated to the Council that they had the opportunity to seize the moment to answer the call of the voters who clearly stated that they wanted the school roofs replaced. He asked the Council to let the children know that they cared about them and wanted them to attend school in a safe place. He also asked the Council to put him out of business as the roof repair dilatant this evening and pass the motion to approve the roof replacements. He thanked the Members in advance for what he hoped would be a positive response.

Robert Griffith, 21 Sable Street addressed the Council. He stated that he made it a habit to regularly attend Council and committee meetings in an effort to address the needs of the community. He went on to state that he was looking forward to working with the Council on the great many problems Norwalk had.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

APPOINTMENTS

BD OF EST. & TAXATION **M/C**
NWLK.CHARTER §1-288

David S. Davidson
Term to expire 11/30/05

16 Betmarlea Road

Norwalk, Ct. 06850

Tulio E. Lopez
Term to expire 11/30/05

207 Wofpit Avenue

Norwalk, Ct. 06851-2639

Tamara Cronin Napoletano
Term to expire 11/30/05

15 Pine Hill Avenue

Norwalk, Ct. 06855

CONSERVATION COMMISSION **M/C**
NWLK.CODE § 352A

Marny Smith
Term to expire 01/01/06

BOARD OF HEALTH **M/C** **NWLK.CODE §57-4**

Diane Lauricella
Term to expire 12/01/04

249 Chestnut Hill Road

Norwalk, Ct. 06851

David S. Davidson (Board of Estimate & Taxation)

Mayor Knopp announced the appointment of Mr. Davidson and stated that during the campaign he was very impressed with the presentations made by Mr. Davidson as an unaffiliated candidate for the Board of Education. He went on to state that he felt this person would make a great member on a public board or agency and he felt he would bring a good prospective to the Board of Estimate and Taxation.

Mr. Krummel commented that he felt this was an excellent appointment and he added that he knew Mr. Davidson and felt he was fair and had all the desirable qualities that were needed in a Member of an important Board.

Ms. Bain commented that she supported Mr. Davdison's appointment. She noted that as a candidate this fall she was very impressed with his interest in the City and she felt he would be a great addition.

Mr. Mann commented that he was so impressed with Mr. Davidson that after one of the debates he approached him and told him that he was impressed with his presentation but did specifically tell him that he had his support.

Mr. Kimmel commented that he spoke with Mr. Davidson several times regarding the Oak Hills Golf Authority restaurant and golf range. He stated that Mr. Davidson looked at the issues in a fair and open-minded way. He went on to state that when he campaigned for a seat on the Board of Education he was well informed and made appointments to visit the schools. He remarked that if Mr. Davidson reviewed matters for the Board of Estimate and Taxation the way he did for the Board of Education he would be a wonderful candidate.

**** MR. KRUMMEL MOVED APPROVAL OF THE APPOINTMENT.**

**** MOTION PASSED BY VOICE VOTE WITH THIRTEEN IN FAVOR AND ONE ABSTENTION (MS. OLMSTEAD-SAWYER).**

Tulio E. Lopez (Board of Estimate & Taxation)

Mayor Knopp announced the appointment of Mr. Lopez and stated that Mr. Lopez expressed a strong interest in making sure that there was strong representation of Spanish candidates and he noted that his economic background was excellent.

Ms. Rivas commented that she echoed what the Mayor had just stated. She noted that Mr. Lopez was very interested in Norwalk and had the experience.

**** MS. RIVAS MOVED APPROVAL OF THE APPOINTMENT.**

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

Tami Napoletano (Board of Estimate & Taxation)

Mayor Knopp announced the appointment of Ms. Napoletano and stated that she brought with her a professional financial background. He went on to state that she was the Finance Administrator of Securities and Tax Matters and that her background included her employment with an investment firm. He added that he had served with her on the Board of Keystone House and he felt she would bring excellent participation to this Board. He remarked that there was no Board more important than this one and he felt it was important to have the best people serve on it.

Mr. Baker commented that he supported this appointment and added that he had seen Ms. Napoletano's dedication to Norwalk with the Jaycees.

Mr. Kimmel stated that he also supported this appointment and he commended Mayor Knopp for looking for the best people to serve. He noted that it had been long needed for the process to be done this way.

Mayor Knopp thanked Ms. Napoletano and told her that the City appreciated her willingness to serve on this important Board.

**** MR. PORUBAN MOVED APPROVAL OF THE APPOINTMENT.**

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

Marny Smith (Conservation Commission- Alternate)

Mayor Knopp announced the appointment of Ms. Smith and stated that she was a dedicated environmental advocate. He noted her work history and stated that she was qualified by her experience, interest and high level of dedication.

Ms. Bain commented that Ms. Smith was her friend and neighbor and someone she highly respected. She stated that like all of the Mayor's appointees, Ms. Smith was someone who was highly qualified and she endorsed the appointment.

Mr. Wrenn commented that he was pleased and honored to support this appointment. He stated that he had known Ms. Smith for 5 years and was associated with her with the work they did on Fodor Farms and the Norwalk Land Trust. He added that after having read her resume he was even more impressed with her.

**** MS. BAIN MOVED APPROVAL OF THE APPOINTMENT.**

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

REAPPOINTMENTS

BOARD OF ASSESSMENT APPEALS M/C

CGS/NWLK. CHT 1-

Arline Cioffi, Alternate

Term to expire 11/01/02

19 Mail Coach Drive

Norwalk, Ct. 06851

FAIR HOUSING ADVISORY COMM. M/C

NWLK. CODE § 59-

A

Al Ayme

Term to expire 09/01/04

28 Dr. Martin Luther Drive

Norwalk, Ct. 06854

(No Action Taken)

HISTORICAL COMMISSION M/C

NWLK. CODE § 57A

Elizabeth Booth

Term to expire 12/31/06

10 Hunters Lane

Norwalk, Ct. 06850

Carol Ann Falasca

Term to expire 12/31/06

42 Truman Street

Norwalk, Ct. 06850

Arline Cioffi (Board of Assessment Appeals)

Mayor Knopp announced the reappointment of Ms. Cioffi and noted that this Board was comprised of realtors that were able to assist citizens who were appealing their revaluations.

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MR. KIMMEL MOVED APPROVAL OF THE REAPPOINTMENT.

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

Elizabeth Booth (Historical Commission)

Mayor Knopp announced the reappointment of Ms. Booth and stated that she represented the perspective of the Historical Society and had taken an active role, especially in Mill Hill. He noted that she had been asked to seek another term by the Members of the Historical Commission.

**** MR. KIMMEL MOVED APPROVAL OF THE REAPPOINTMENT.**

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

Carol Ann Falasca (Historical Commission)

Mayor Knopp announced the reappointment of Ms. Falasca noting that she was an active and involved Member. He remarked that she was involved with a continuation of issues of maintenance and other long-term items.

**** MS. OLMSTEAD-SAWYER MOVED APPROVAL OF THE REAPPOINTMENT.**

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

B. REMARKS

Announcements:

Michael Corsello - Fire Commissioner

Nicholas A. Cioffi - Police Commissioner

Fran Collier-Clemmons - Police Commissioner

Mayor Knopp stated that the City Charter entrusted members of the Police and Fire Commission and expected the Mayor to make these appointments with the best interest of the City without advice of the Council. He noted that the United States was one of the few places in the world where the Mayor could select these appointments. He remarked that he regarded these as highly significant appointments. Mayor Knopp commented that

after September 11th he believed that the Police and Fire Departments played a very important role in ensuring that the cities were protected.

Mayor Knopp announced the appointment of Mr. Cioffi as Police Commissioner.

Mayor Knopp announced the appointment of Ms. Collier-Clemmons as Police Commissioner and stated that he was very honored to make this appointment. He went on to state that he had served with her on several nonprofit boards and agencies and she had been very fair in adjudication.

Mayor Knopp thanked both Mr. Cioffi and Ms. Collier-Clemmons for being willing to serve in these positions. He remarked that they had both been sworn in earlier this week at the Police Station.

Next, Mayor Knopp announced the appointment of Mr. Corsello as Fire Commissioner. He stated that Mr. Corsello was just the type of person that would roll up his sleeves and visit every fire station and be a very involved Commissioner. He went on to state that Mr. Corsello represented a new generation of leadership in Norwalk and he was grateful that he accepted the assignment.

Mayor Knopp also announced the appointment of Larry Rossi as Fire Commissioner and stated that Mr. Rossi had retired and was responsible for the operations of Public Works oversight and personnel issues. He said that he would be the community liaison and the City was fortunate that he came out of retirement to serve the City.

V. **COUNCIL PRESIDENT**

A. **CONSENT CALENDAR**

Mr. Mann read the following items on Consent:

VII. **COMMON COUNCIL COMMITTEES**

A. **PUBLIC SAFETY & EMERGENCY PREPAREDNESS COMMITTEE**

1. Authorize the Mayor, Alex A. Knopp, to execute any and all documents necessary to apply for and accept grant funds from the State of Connecticut, Department of Transportation under the 2002 Expanded DUI Enforcement Program.
2. Authorize the Mayor, Alex A. Knopp, to execute any and all agreements and instruments necessary to implement the 2002 Expanded DUI Enforcement Program grant funding.

IX. **MOTIONS POSTPONED TO A SPECIFIC DATE**

A. CORPORATION COUNSEL

1. EXECUTIVE SESSION: Authorization to settle claim: Falicit Theodoridis v. City of Norwalk. **TABLED.**

**** MR. MANN MOVED APPROVAL OF THE CONSENT CALENDAR.**

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

B. OTHER GENERAL COUNCIL BUSINESS

Mr. Mann stated that on January 12th a bus touring the City parks would leave at 8:30 a.m. and lunch would held at the Lockwood Matthews Mansion. He said that everyone was welcome to attend and anyone interested should contact Mr. Mocciae in the Parks and Recreation Department.

A. LAND USE & BUILDING MANAGEMENT COMMITTEE

- 1a.** Approve the proposed School Roof Replacement Project for Norwalk High School, Columbus Magnet School, Cranbury Elementary School, Fox Run Elementary School, Marvin Elementary School, Rowayton Elementary School and Tracey Elementary School.

**** MR. KRUMMEL MOVED APPROVAL OF THE ITEM.**

Mayor Knopp stated that the City faced a challenge with completing these projects on time before the opening of school. He went on to state that the Council was trying to move this item through the administration process with lightning speed. He informed the assembly that they were scheduling special meetings of the Land Use and Building Management Committee and the Common Council in an effort to process these items as quickly as possible. He noted that Mr. Opdahl had spent the weekend drafting the request and Mr. Krummel had agreed to attend meetings of a committee established last week. Mayor Knopp stated that he could not imagine speeding up the process any faster than they were doing. He remarked that the goal was to have school building roofs that would not leak when the students entered school in 2002. He said that there was still a possibility that the construction market might not be able to handle this many projects in this short a time. He stressed that if they did not move the projects along at warp speed they would be sure to fail. He also stressed that if they did move them along at warp speed they might not be able to secure all the construction help needed. He closed by

stating that they were doing everything possible to end the embarrassment of leaking school roofs.

Mr. Kimmel commented that this was his 3rd term on the Council and the 1st time he had seen a request for a proposal and at the same time execute an Agreement. He remarked that in the past the Council would request the proposal and then wait one month to execute the Agreement. He pointed out that doing everything simultaneously would speed things up. Mr. Kimmel stated that they had talked for months about having a closer relationship with the Board of Education and the Common Council now not only had they taken strides to work with them but also they had gone beyond that. He pointed out that this effort had been driven by the Board of Education, the Common Council, the Mayor's office and Corporation Counsel. He remarked that they had City Government working in harmony and it was an entire new way of doing things. He said that he was confident this would be done and noted that communities were measured by the condition of their schools. He added that each time they improved an item they were increasing everyone's property values and Norwalk as a whole was becoming a better place to live.

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

1b. Authorize the Board of Education/Purchasing Department to issue Request for Proposals to architectural firms for the preparation of architectural drawings and to submit all necessary documents to State of Connecticut, Department of Education for approval.

**** MR. KRUMMEL MOVED APPROVAL OF THE ITEM.**

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

1c. Authorize the Mayor, Alex A. Knopp, to execute an agreement with a Construction Management Firm for the School Roof Replacement Project to be selected by a committee comprised of Diane Beltz-Jacobson (Assistant Corporation Counsel), Stuart Opdahl (Assistant Superintendent of Schools), Bill Krummel, Alan Lo (Staff Person) and Martin Overton (Assistant Director of Public Works) for a fee (to be determined) covered under project account # 09025010 5777 C0242

**** MR. KRUMMEL MOVED APPROVAL OF THE ITEM.**

Mr. Kimmel stated that he felt it was great to see this happen.

Mayor Knopp stated that it was often the case that the issuing of bonds and the sale of bonds was authorized to accept bids. He noted that this Committee had received the approval of the Finance Director.

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MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

1d. Authorize the Mayor, Alex A. Knopp, to execute an agreement with an Architectural Firm for the School Roof Replacement Project to be selected by a committee comprised of Diane Beltz-Jacobson, Stuart Opdahl, Bill Krummel, Alan Lo and Martin Overton for a fee (to be determined) covered under project account #09025010 5777 C0242.

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MR. KRUMMEL MOVED APPROVAL OF THE ITEM.

Mr. Kimmel commented that once again he was pleased with the idea of having one architectural firm and noted that it simplified the complex project just as having one construction management and Architectural firm did.

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MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

2a. Authorize the use of Portable Classrooms as swing space for the Brookside School Replacement Project and authorize the Board of Education to proceed with all necessary design work and to submit all necessary documents to the State of Connecticut, Department of Education for approval.

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MR. KRUMMEL MOVED APPROVAL OF THE ITEM.

Mr. Krummel stated that Brookside School had waited a long time for this project and he was pleased to see it take place.

Mr. Kimmel stated that the Brookside community not only needed this replacement school badly but they deserved it. He went on to state that it had been a number of years since they began having problems with the building. He said that it was critical for construction to begin the day school let out this summer. He pointed out that every day or week the project was delayed in the summertime would be costly down the road.

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MOTION PASSED UNANIMOUSLY BY VOICE VOTE .

2b. Authorize the Mayor, Alex A. Knopp, to execute an amendment to Wiles Associates Architects' architectural services agreement for Brookside School Replacement Project for the design of portable classrooms for a total not-to-exceed **\$10,000**. Acct.#09015010 5777 C0171

**** MR. KRUMMEL MOVED APPROVAL OF THE ITEM.**

Ms. Bain stated that she wanted to point out the extreme value of a person like Mr. Opdahl being on the Board of Education to manage them and see them through these projects. She went on to state that she had been impressed with the coordination of work between the Board of Education and the Mayor's office. She applauded the Board of Education for hiring Mr. Opdahl.

Mr. Wrenn commented that he wanted to commend Mr. Opdahl and Mr. Krummel as well as the staff for doing a great job in expediting these items.

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE AS AMENDED.**

VIII. RESOLUTIONS FROM COUNCIL MEMBERS

There were none presented this evening.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were none.

A. FINANCE COMMITTEE

1. Authorize the release of the funds for the remainder of the \$302,469.00 budget approved by the Board of Estimate & Taxation for Fiscal Year 2001-2002 for N.E.O.N. Administrative Overhead. The funds are paid to N.E.O.N. on a monthly basis based on the yearly allocation.

**** MR. KIMMEL MOVED APPROVAL OF THE ITEM.**

Mr. Mann and Mr. Wrenn left Chambers due to a possible conflict of interest.

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

A. CORPORATION COUNSEL

There were none presented this evening.

IX. SUSPENSION OF THE RULES.

**** MR. MANN MOVED TO SUSPEND THE RULES AND ADD AN ADDENDUM TO THE AGENDA.**

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

**** MR. MIKLAVE MOVED THE FOLLOWING ADDENDUM ITEMS:**

TECHNICAL CORRECTIONS: ADOPT THE FOLLOWING CORRECTIONS TO THE COMMON COUNCIL ACTION TAKEN UNDER ITEM VII.B.1.A. AND 1.B. AT THE MEETING OF DECEMBER 11, 2001:

- 1. ALL REFERENCES TO THE SPECIAL ACT 01-2, SECTION 9 IN ITEMS 1A. AND 1B. AND IN THE ATTACHED RESOLUTION (*REFERRED TO IN ITEM 1B.) ARE HEREBY CORRECTED TO REFER TO SPECIAL ACT 01-2, SECTION 9 (D) (2).**

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

- 2. ITEM VII.B.1B. IS CORRECTED TO READ AS FOLLOWS: ADOPT THE ATTACHED RESOLUTION REGARDING THE CITY'S APPLICATION FOR FINANCIAL ASSISTANCE PURSUANT TO SPECIAL ACT 01-2, SECTION 9 (D) (2).**

Ms. Stark read the corrected Resolution into the record.

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

- 3. ITEM VII.B.1C. IS ADDED AS FOLLOWS:**

AUTHORIZE THE MAYOR, ALEX A. KNOPP, TO EXECUTE ANY ASSISTANCE AGREEMENTS WITH THE STATE OF CONNECTICUT FOR STATE FINANCIAL ASSISTANCE RELATED TO THE REED PUTNAM URBAN RENEWAL PROJECT PURSUANT TO SPECIAL ACT 01-2, SECTION 9 (D) (2), AND TO EXECUTE ANY AMENDMENTS, REVISIONS OR OTHER DOCUMENTS IN CONNECTION THEREWITH.

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

XI. ADJOURNMENT

**** MR. BONDI MOVED TO ADJOURN THE MEETING.**

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

