

*Common Council Actions*

**COMMON COUNCIL**

**ACTION**

**JANUARY 8, 2002**

**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, January 8, 2002, in the Common Council Chambers, City Hall, 125 East Avenue, Norwalk, Connecticut. Mayor Alex Knopp called the meeting to order at 8:05 p.m. and then led the Assembly in reciting the Pledge of Allegiance.

**I. ROLL CALL**

Betsy Bain Miklave	Matthew
Kenneth Baker Olmstead-Sawyer (arr 8:10 p.m.)	Jeannette
Fred Bondi Poruban	Kevin
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 18, 2001**

The following corrections were made to the minutes:

Page 3 third paragraph – Mr. Mann said that he told Mr. Davidson he was impressed with his presentation but did not specifically tell him that he had his support.

Page 3 seventh paragraph – add that Ms. Napoletano's background included her employment with an investment firm.

Page 4 second paragraph – should state that Ms. Smith was appointed as an alternate to the Conservation Commission.

Page 4 fourth paragraph – change "Fuller Farms" to "Fodor Farm."

Page 5 second paragraph last sentence – change the word "Society" to "Commission."

Page 6 third paragraph – add that Larry Rossi's appointed was to the Fire Commission. And, add that Mr. Rossi also served with the South Norwalk Electrical Works. Additionally, in the last sentence, delete the phrase "... that he retired when he did ..."

Page 9 first motion passed – delete the words "as amended" at the end.

Page 9 second motion passed – add the words "as amended" at the end.

**\*\* MR. KIMMEL MOVED TO ACCEPT THE MINUTES OF DECEMBER 18, 2001 AS AMENDED.**

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF FOURTEEN.**

**III. PUBLIC PARTICIPATION**

Mr. Mark Chilabba, Chairman of the Human Relations Commission, addressed the Council. He said that he was pleased with the nomination of Dr. Charles Stabinsky to that commission, adding that Mr. Stabinsky would be a great asset. Also, Mr. Chilava expressed concern regarding the open position for an Assistant Mayor, saying it was ironic in light of the fact that all department heads recently received a notice to carefully review their budget requests. Mr. Wrenn asked that the record reflect that this was not on the agenda for discussion.

Mr. Robert Griffith of the Woodward Avenue Association addressed the Council. He said that he appreciated the Administration's effort to keep the budget under control, and made specific reference to the "middle class" residents of Norwalk who have difficulty

paying their high taxes. He asked the Members to remember the importance keeping the tax base down and of doing whatever is necessary to keep property values from decreasing. Mr. Griffith referred to the many abandoned vehicles that 'litter' SONO; 29 vehicles were removed yet another 15 have replaced them and remain abandoned within a six-block area of his neighborhood. He added that this deters potential homebuyers from wanting to purchase in a particular area.

#### IV. MAYOR

##### A. Resignations and Appointments

###### **Resignations**

Mayor Knopp announced and accepted the resignations of Michael Corsello from the Oak Hills Authority and Barbara Hudgins from the Human Relations Commission. He thanked both individuals for their service to the City of Norwalk.

###### **Appointments**

Mayor Knopp recommended the following appointments:

Part Time Assistant Corporation Counsel: Simon Sumberg, Esq.

**\*\* MR. MANN MOVED TO APPROVE THE APPOINTMENT OF SIMON SUMBERG, ESQ. AS PART TIME ASSISTANT CORPORATION COUNSEL.**

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF FOURTEEN.**

Conservation Commission: Marny Smith

**\*\* MS. BAIN MOVED TO APPROVE THE APPOINTMENT OF MARNY SMITH TO THE CONSERVATION COMMISSION.**

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF FOURTEEN.**

Board of Estimate: Tamara Napoletano

**\*\* MR. PORUBAN MOVED TO APPROVE THE APPOINTMENT OF TAMARA NAPOLETANO TO THE BOARD OF ESTIMATE AND TAXATION.**

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF FOURTEEN.**

Fair Rent Commission: Jose Bermudez

**\*\* MS. RIVAS MOVED TO APPROVE THE APPOINTMENT OF JOSE BERMUDEZ TO THE FAIR RENT COMMISSION.**

Ms. Rivas said that this was an excellent appointment and Mr. Bermudez will be a good asset.

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF THIRTEEN.**

Board of Health: Martha Lemmon

**\*\* MR. PORUBAN MOVED TO APPROVE THE APPOINTMENT OF MARTHA LEMMON TO THE BOARD OF HEALTH.**

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF THIRTEEN.**

Human Relations: Dr. Charles Stabinsky

**\*\* MS. HUDGINS MOVED TO APPROVE THE APPOINTMENT OF CHARLES STABINSKY TO THE HUMAN RELATIONS COMMISSION.**

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF THIRTEEN.**

SWRPA: Michael Coffey

### **Re-Appointments**

Fair Housing Advisory Commission: Bernadine Tatem

**\*\* MS. OLMSTEAD-SAWYER MOVED TO APPROVE THE REAPPOINTMENT OF BERNADINE TATEM TO THE FAIR HOUSING ADVISORY COMMISSION.**

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF THIRTEEN.**

Board of Health: Patricia Adams

**\*\* MR. SUTTON MOVED TO APPROVE THE REAPPOINTMENT OF PATRICIA ADAMS TO THE BOARD OF HEALTH.**

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF THIRTEEN.**

Board of Health: Sharon Donovan

**\*\* MR. PORUBAN MOVED TO APPROVE THE REAPPOINTMENT OF SHARON DONOVAN TO THE BOARD OF HEALTH.**

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF THIRTEEN.**

Board of Health: Kenneth Lalime

**\*\* MR. WRENN MOVED TO APPROVE THE REAPPOINTMENT OF KENNETH LALIME TO THE BOARD OF HEALTH.**

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF THIRTEEN.**

**B. Remarks**

Mayor Knopp said that he had no specific remarks to make.

**V. COUNCIL PRESIDENT**

**A. Consent Calendar**

Mr. Mann read the following items on Consent:

**VII. COMMON COUNCIL COMMITTEES**

**B. Recreation, Parks and Cultural Affairs**

1. Authorize the Mayor, Alex A. Knopp to execute an agreement with the YMCA of Norwalk, Inc, for the use of the grounds at Marvin School and Taylor Farm for their annual Summer Camp 2002. June 24 through August 23, 2002 from 7:00 a.m. through 6:00 p.m. Monday through Friday.

**2a.** Approve a Technical Correction to the Common Council action taken at its June 27, 2000 meeting under Item VII.IC.2 to change the name of Mid-Fairfield Child Guidance Center, Inc. to **Devon's Place, Inc.** The corrected item reads as follows (corrected wording is in bold lettering):

**2b.** Authorize the Mayor, Alex A. Knopp, to execute a Development Agreement with **Devon's Place, Inc.** to construct a playground accessible to children with disabilities (a.k.a. Boundless Playground) at Mathews Park. Terms on the agreement shall be approved by the Recreation, Parks and Cultural Affairs Committee.

**C. Land Use & Building Management Committee**

**1a.** Authorize the Mayor, Alex A. Knopp, to execute any and all documents necessary to apply for and accept grant funds from the State Office of Policy and Management under the Norwalk Historic Commission Cemeteries Project.

**1b.** Authorize the Mayor, Alex A. Knopp, to execute any and all agreements and instruments necessary to implement the Norwalk Historic Commission Cemeteries Project pursuant to such grant funding.

**D. Public Works**

**1.** Authorize the Mayor, Alex A. Knopp, to execute an Agreement with Milone and MacBroom, to provide professional engineering services in connection with the Wilson Cove Restoration Project, for a sum not to exceed \$12,500. Account No. 09 00 40 31 5777 C0082.

**2.** Authorize the Mayor, Alex A. Knopp, to execute a License Agreement to authorize a Consent to Assignment of Agreement and Assumption of Obligations from Jane Segall to Kepler Dort for permission to build a retaining wall at 27 Soundview Avenue.

**3.** Authorize the Mayor, Alex A. Knopp, to execute an Agreement with Leonard Jackson Associates, to provide professional hydraulic

engineering services in preparation for an application for FEMA in connection with the Norwalk River at the Wastewater Treatment Plant, for a sum not to exceed \$4,800. Account No. 01 40 30 5258.

4. Authorize the Mayor, Alex A. Knopp, to execute an Amendment to the Agreement with STV Incorporated to provide preliminary design services for a bridge structure survey in connection with the Broad Street Bridge, for a sum not to exceed \$4,000. Account No. 01 40 30 5258.

6. Authorize the Director of Public Works to issue final payment to the NY CONN corporation for Project No. 99-1, Traffic Signal Improvement at various locations, for a sum not to exceed \$16,913.80. Account No. 09 00 41 20 5777 C0050.

7. Authorize the Director of Public Works to issue an emergency payment to Rizzo Corporation for the repair of the fiber optic lines at the Public Works Center, for a sum not to exceed \$17,000 (funds reimbursed by CIRMA through the Risk Management Office). Account No. 01 40 24 5343.

9. Authorize the Mayor, Alex A. Knopp, to execute an amendment to the agreement with Scillia Dowling & Natarelli LLC, to compile auditing data necessary for the East Norwalk Railroad Station operation in connection with the auditing requirements for the lease agreement between the City of Norwalk and the State of Connecticut Department of Transportation for the 10 years ending June 30, 2001 for a sum not to exceed \$11,000. Account No. 03 0000 2613.

**\*\* MR. MANN MOVED TO APPROVE THE CONSENT CALENDAR.**

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF THIRTEEN.**

**B. Other General Council Business**

1. Appointment to Oak Hills Authority:  
Joseph Tamburri

\*\* MR. MANN MOVED TO APPROVE THE APPOINTMENT OF JOSEPH TAMBURRI TO THE OAK HILLS AUTHORITY.

Mr. Kimmel said that he was in total support of the appointment.

\*\* MOTION PASSED BY A VOICE VOTE OF THIRTEEN WITH ONE ABSTENTION (MR. BONDI).

## VII. COMMON COUNCIL COMMITTEES

Mr. Miklave recused himself from the meeting at 8:30 p.m.

### A. Claims

1. Accept and approve the Reports of the Claims Committee dated December 5, 2001.

\*\* MR. KIMMEL MOVED TO ACCEPT THE CLAIMS COMMITTEE REPORTS OF DECEMBER 5, 2001.

\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF FOURTEEN.

2. Accept and approve the Report of the Claims Committee dated January 2, 2002.

\*\* MR. KIMMEL MOVED TO ACCEPT THE CLAIMS COMMITTEE REPORT OF DECEMBER 5, 2001.

\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF THIRTEEN.

At 8:32 p.m. Mr. Miklave rejoined the meeting.

### C. Land Use and Building Management Committee

2. Authorize the Mayor, Alex A. Knopp, to execute an Agreement with Gregg and Wies Architects, LLP to provide architectural services for the preliminary phase of the relocation

of the Rogers-Ritch-Merritt House for a total not to exceed \$5,000. Account No. 03000 264.

Mr. Krummel said that the \$5,000 payment would be made to the architect to dismantle the house and move it from its present location. It is necessary to move the house since the owner will have it destroyed if it remains on the site. Last year the Council approved a \$50,000 allocation for this project; Mr. Krummel said that private contributions of \$5,000+ have also been received. Mr. Kimmel said that he would support the Agreement but questioned whether site work would be involved. Mr. Wrenn said that he would support the Agreement but was concerned about what the architect would include in the preliminary Phase I. Mr. Krummel said that language in the Agreement could be made stronger such that Phase I of the project would be defined only as removal of the house from the site and would not include any other architectural work. Ms. Bain suggested a friendly amendment to change the word "relocation" to "dismantling."

**\*\* MR. KRUMMEL MOVED TO APPROVE THE ITEM WITH THE 'FRIENDLY AMENDMENT' PROPOSED BY MS. BAIN.**

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF THIRTEEN.**

**3a.** Authorize the Mayor, Alex A. Knopp, to execute any and all documents necessary to terminate the existing lease agreement with Norwalk Hospital for Springwood Health Center at Nathaniel Ely Center.

**\*\* MR. KRUMMEL MOVED TO APPROVE THE ITEM.**

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF THIRTEEN.**

**3b.** Authorize the Mayor, Alex A. Knopp, to execute an amendment to N.E.O.N. Inc.'s lease for N.E.O.N.'s Headstart Program to occupy a portion of Nathaniel Ely Center formerly occupied by Springwood Health Center. Remaining terms of the agreement to remain unchanged.

**\*\* MR. KRUMMEL MOVED TO APPROVE THE ITEM.**

**\*\* MOTION PASSED BY A VOICE VOTE OF THIRTEEN WITH ONE ABSTENTION (MR. MANN).**

**\*\* MR. KRUMMEL MOVED TO SUSPEND THE RULES TO AMEND AN ACTION TAKEN BY THE COMMON COUNCIL AT THEIR DECEMBER 18, 2001 MEETING ON ITEM VII B. 1a. THE ITEM SHOULD READ AS FOLLOWS, WITH AMENDED LANGUAGE IN BOLD.**

**"4b. 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 and authorize the Norwalk Public Schools to file a grant application with State of Connecticut, Department of Education."**

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF FOURTEEN.**

**D. Public Works**

**5.** Authorize the Mayor, Alex A. Knopp, to execute a grant agreement and any and all documents with the State of Connecticut, Department of Environmental Protection for the US EPA Clean Water Act 319 Nonpoint Source Grant in connection with the Wilson Cove Salt Marsh Restoration Project (grant amount is for a sum not to exceed \$22,001.06).

**\*\* MR. MANN MOVED TO APPROVE THE ITEM.**

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF THIRTEEN.**

**8.** Authorize the Mayor, Alex A. Knopp, to execute an amendment to the agreement with Valus and Carpenter to provide architectural and engineering services in connection with the design of the new police facilities building to increase the total amount to be paid from \$762,700 to \$852,000 (an increase of \$89,300) and to extend the agreement until February 28, 2003. Account No. 0900 4031 5777 C0137.

**\*\* MR. MANN MOVED TO APPROVE THE ITEM.**

Ms. Rivas said that the delay was very unfortunate but that she was happy to see the project move forward. Mr. Kimmel asked what the consequence(s) would be if the item was not approved. Mr. William Grummond, Director of Public Works, said that the project was delayed because the firm lost some of its engineers. Mr. Kimmel said that he would reluctantly support the item but added that it must move forward. Ms. Olmstead-Sawyer stressed the importance of avoiding these kinds of delays since 'time is money.'

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF FOURTEEN.**

**10.** Authorize the Director of Public Works to issue Orders on Contract to Deering Construction, for Project No. 2000-1, Proposed Improvements to Flax Hill Road Phase I, for a sum not to exceed \$22,900. Account No. 09 41 40 21 5777 C0021.

**\*\* MR. MANN MOVED TO APPROVE THE ITEM.**

Mr. Bondi said that he was very unhappy with the lack of progress being made on Flax Hill, saying it should have been completed long ago. This is causing a great deal of inconvenience for the people in the area. Mr. Kimmel questioned when the project is expected to be completed. Mr. Grummon explained that the former Council recognized the length of the project and that it would need to be done in two phases; Phase I finished in December 2001. Phase II of the project is under design; construction is expected to begin in Spring 2002. All the work at the entrance to Flax Hill Park has been completed.

**\*\* MOTION PASSED BY A VOICE VOTE OF TWELVE WITH ONE VOTE IN OPPOSITION (MR. BONDI).**

**E. Finance Committee**

1. Approve Resolution authorizing the issuance of \$3,915,000 bonds of the City to meet the appropriation of the Board of Education Roof Replacement Project and the Making of Temporary Borrowings for such Purpose. The Authorization for the Special Capital Budget appropriation of \$4,915,000 for the Board of Education Roof Replacement Project Account No. 09025010-577-C0242 was approved by the Common Council on December 11, 2001.

**\*\* MR. KIMMEL MOVED TO APPROVE THE ITEM AND AMEND THE AMOUNT OF THE CAPITAL BUDGET APPROPRIATION TO \$3,915,000.**

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF THIRTEEN.**

**I. Council President**

**B. Other General Council Business**

2. Briefing on Board of Education Budget by Dr. Salvatore Corda.

Dr. Corda commented that recent communication between the Council and the Board of Education has been outstanding, for which he was grateful. He said that the Board of Education is aware that everyone is trying their best to understand the budget, which he called a blueprint, and said it was important to understand three important documents: the Board's goals adopted in June 2001, the financial document and the instructional plan of implementation which forms the basis for the Boards' goals. He said that all three documents are the result of tremendous planning and deliberation. The Board feels strongly that each student should be taught in a way that prepares them to perform at a level commensurate with what will be required of them as an adult in society. This process begins by examining staffing needs based on expected enrollment. Contractual obligations must be met, and annual reviews made of the maintenance needs of the City's plan. Program requests are analyzed.

Dr. Corda said that enrollment over the last five years has flattened somewhat and that this year's enrollment is expected to increase from 11,160 to 11,300. He showed slides of typical classroom sizes in each of the school segments – elementary, middle and high schools. He said that there is particularly large increase in the number of students who use English as a second language. This year's budget document was prepared on a school-by-school basis to provide the clearest picture of what is needed. Dr. Corda said that he and the Board of Education is already aware that many areas will need to be refined for next year. The principal of each elementary, middle and high school is required to provide an allocation for his or her individual school needs. \$1.3+ million is being requested, and the bulk of the money is to meet requirements. Four teachers in various departments are needed in three high schools. \$107,171 of the \$1.3 million will be used to replace and/or repair existing equipment. Dr. Corda said that the 6.95% increase for next year would be split as follows: 4.1% for staffing, 7.9% transportation, 10.5% employee benefits.

Mayor Knopp said that he and the Council pledged better communication between themselves and he is happy to see it's working. He thanked Dr. Corda for his presentation.

Ms. Bain asked for clarification about special Ed classes. Dr. Corda said that these have now been incorporated into regular classrooms. Mr. Wien questioned what the class size exception meant. Dr. Corda said that Music, Physical Ed, etc. classrooms had different class sizes than learning classrooms. Ms. Olmstead-Sawyer asked for clarification of 'art' and wondered whether it referred to as 'the arts.' Dr. Corda said that at present art means

art but as progress is made there will be more attention to ‘the arts.’ Dr. Corda said that more employees are needed in the facilities department. This might decrease the cost of having third party vendors perform some of the needed services, i.e., painting. Dr. Corda said that he would provide further explanation about the increase in transportation costs. As it relates to special Ed, Dr. Corda said that an inflated number would help to secure additional State financial aid. In some instances, the Court system places a child in a special Ed room when they are should not technically be considered a special Ed student. Lastly, Dr. Corda said that much of Norwalk’s teacher population could be considered seasoned in that there are few entry-level teachers in the school system. As they retire and are replaced by more entry-level teachers, the salaries paid will decrease. Mayor Knopp asked if any thought had been given to offering early retirement and what impact this might have on the school budget. He urged the Board of Ed to delve into this on a deeper level. As it related to class size, Mayor Knopp asked if this was related to the union. Dr. Corda said that this was a valid point but that not much research had been done on the subject. As it relates to hire of a technical rather than educational nature, it is the intent of the Board of Education to contact higher education schools to find candidates to fill positions of physical therapists and occupational therapists. Dr. Corda said that textbooks would need to be purchased for next year. In prior years the textbook account was sometimes used as a cushion and drawn on for purchases of other than textbook materials. This situation will be closely monitored.

## **VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS**

### **A. Corporation Counsel**

- 1. Executive Session: Authorization to settle claim – Alicia Brandfellner vs. City of Norwalk.**

**\*\* MR. BONDI MOVED TO APPROVE SETTLEMENT OF THE CLAIM BETWEEN THE CITY OF NORWALK AND ALICE BRANDFELLNER.**

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF THIRTEEN.**

## **XI. ADJOURNMENT**

**\*\* MR. BONDI MOVED TO ADJOURN.**

**\*\* MOTION PASSED UNANIMOUSLY BY A VOICE VOTE OF THIRTEEN.**

The meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Carol Wiggins for

Telesco Secretarial Services

