

Common Council Actions

COMMON COUNCIL

ACTION

MAY 28, 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, May 28, 2002 in the Common Council Chambers, City Hall, 125 East Avenue, Norwalk, Connecticut. Mayor Alex Knopp called the meeting to order at 8:10 p.m. and led the assembly in reciting the Pledge of Allegiance.

I. ROLL CALL

Betsy Bain
Jeanette Olmstead-Sawyer (Absent)

Kenneth Baker
Christopher Perone

Fred Bondi
Kevin Poruban

Barbara Hudgins
Judith Rivas

Bruce Kimmel
Douglas Sutton

William Krummel
Peter Wien

Joseph Mann (Absent)
William Wrenn (Absent)

Matthew Miklave

Twelve (12) members were present at Roll Call.

II. ACCEPTANCE OF MINUTES

A. **Regular Meeting May 14, 2002**

The following corrections were made: On page 10, 2nd to last paragraph, 3rd sentence, "quid pro pro" was corrected to "quid pro quo". On page 13, Item 16, 4th paragraph, "\$46,000" was corrected to "\$465,000".

**** MR. BONDI MOVED TO APPROVE THE MINUTES AS CORRECTED.**

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

III. PUBLIC PARTICIPATION

Heather Rodin distributed and reviewed the recommendations of the Affordable Housing Task Force, as stated in the Executive Summary, a joint venture of the City and the Chamber of Commerce, as well as the comments of the NAACP on the 2001 Analysis of Impediments. She said that the Analysis of Impediments highlights the lack of knowledge and acceptance of Fair Housing law and the inadequate supply of affordable housing. The proposed plan of action includes 18 activities but does not address Norwalk's zoning laws or planned redevelopment activities, other than relocation assistance. She said that affordable housing should be encouraged as part of redevelopment and that zoning regulations should be modified to provide affordable housing density bonuses as a requirement to develop housing in excess of 12 units.

Mr. Bondi asked Mrs. Rodin what the NAACP felt about affordable purchase housing. She said both affordable purchase and rental housing are good.

Larry Paulk, 214 South Main Street, spoke about the sand and dust coming into his house. For the past six to seven years, he has been fighting this. The residents cannot open their windows in

the summer because of sand, dust and noise.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

There were none.

B. REMARKS

1. Announcement of Flax Hill Traffic Islands Advisory Committee

Mayor Knopp announced the following appointments to the Flax Hill Traffic Islands Advisory Committee: Christopher Perone, Betsy Bain, Jennifer Plath, Jacalyn Liljegren, Lawrence Loustaunau, Stewart Johnson, Richard Linnartz, Deputy Chief Mark Palmer, Michael Wrinn & Louis Schulman. This committee will make recommendations to the Council in order to balance traffic safety and preservation of the traffic islands. Mr. Perone and Ms. Plath will chair this committee, which will make its report no later than three weeks from now.

Mayor Knopp said that the award of the bid for the replacement of the Norwalk High roof is on tonight's agenda. It will cost approximately \$59,000 less than the prior award. The City made the right decision when they settled the litigation in court in Danielson. The delay will not impede the City's ability to do this work over the summer. The six elementary school contracts have been signed and plans have been approved. Mayor Knopp thanked Corporation Counsel Ciccarello for his hard work.

Mayor Knopp noted that the drought is over.

V. **COUNCIL PRESIDENT**

In Mr. Mann's absence, Mr. Kimmel, Majority Leader, conducted this portion of the meeting.

A. **CONSENT CALENDAR**

** MR. KIMMEL MOVED:

VII. **COMMON COUNCIL COMMITTEES**

A. **RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE**

1. Authorize the Mayor, Alex A. Knopp, to execute an agreement with National Marine Manufacturers Association for the use of Calf Pasture, Shady Beach, Marvin and Taylor Farm for parking during the Norwalk International In-Water Boat Show Thursday thru Sunday September 19-22, 2002. Marvin School would only be used Saturday and Sunday. Contract to include increasing the number of vendor passes from 750 to 1000 for a sum of \$1,000. Paid by the NMMA. Estimated attendance 8,000+.

1. Authorize the Mayor, Alex A. Knopp, to execute an agreement with the Norwalk Seaport Association, Inc., to use Veterans Park for the 25th

Oyster Festival starting Saturday August 24, 2002 through Sunday September 30, 2002. The actual dates and times of the Festival are Friday, September 6, 2002 5:00pm to 11:00pm, Saturday September 7, 2002 10:00am to 11:00pm and Sunday September 8, 2002 10:00am to 9:00pm. Admission charge is the same as 2001 at

\$8.00 for adults, Seniors and children 13 and under \$5.00, children 6 and under free. Estimated attendance 50,000+

3. Reject bid for the renovation of Calf Pasture Beach concession Building and Mathews Park Public Bathroom.

4a. Authorize the Mayor, Alex A. Knopp, to execute a contract with Cape and Island Tennis and Track Company, Inc. for the installation of track coating at Brien McMahon High School for a total not to exceed \$149,979.00. 2002-2003 Capital Budget account number to be assigned by the Finance Department.

4b. Authorize the Acting Director of Recreation and Parks Department to issue change orders on contract for a total not to exceed \$14,997.00.

A. **ORDINANCE COMMITTEE**

1. Proposed amendments to §103-7A of Article III Tax Relief for the Elderly and Disabled Homeowners.

D. **PUBLIC WORKS**

1. Authorize the Mayor, Alex A. Knopp, to Execute an Agreement with F G B Construction Co. for Project No. 4R 2002-2, Proposed 4R Paving Project, for a sum not to exceed \$2,069,883.35.
2. Authorize the Director of Public Works to issue Orders on Contract to F G B Construction Co. for Project No. 4R 2002-2, Proposed 4R Paving Project, for a sum not to exceed \$206,988.00.

Account No. 01 40 21 5571

09 03 40 21 5777 C0021 **CONSENT TO WITHDRAW**

E. **LAND USE & BUILDING MANAGEMENT**

1a. Authorize the Mayor, Alex A. Knopp, to execute an agreement with Bridgeport Restoration Company, Inc. of

Bridgeport, CT for exterior restoration at Norwalk City Hall for a total not to exceed \$222,000. Acct. Nos. 09007100 5777 C0144, 09017100 5777 C0177 and 2002-2003 Capital Budget allocation- account number to be assigned by the Finance Department

1b. Authorize the Office of Building Management to issue change order on contract for a total not to exceed \$22,200.

2a. Authorize the Mayor, Alex A. Knopp, to execute a contract with Advanced Corporation of Chicopee, MA for Underground Fuel Tank Removals and Replacements at Ben Franklin Center and Norwalk Main Public Library for a total not to exceed \$48,735.00 Acct. Nos. 09027100 5777 C0227 and 09007100 5777 C0173.

2b. Authorize the Office of Building Management to issue change orders on contract for a total not to exceed \$21,050.00

3. Authorize the Mayor, Alex A. Knopp, to execute an agreement with Hoffman Architects of North Haven, CT to provide architectural services for the construction document phase, for the rehabilitation, stabilization and restoration of the south porch/veranda roof of Lockwood Mathews Mansion for a total not to exceed \$5,990.00. Acct. No. 09006310 5777 C0186

6. Authorize the Mayor, Alex A. Knopp, to execute an agreement with (name of Construction Management Company) to provide Construction Management Services as the Constructor (CMc) for the Brien McMahon High School Renovation Project/Global Studies Expansion Project. Terms of the agreement to be provided by the Selection Committee to the Common Council prior to the Council meeting. Account number to be determined.
CONSENT TO REFER BACK TO COMMITTEE

7. Authorize the Mayor, Alex A. Knopp, to execute an agreement with RECON Engineers, P.C. of Guilford, CT to provide Geotechnical Services for the Brien McMahon High School Renovation Project/Global Studies Expansion Project for a total not to exceed \$14,500.00. Acct. No. 09025010 5777 C0237

8. Authorize the Mayor, Alex A. Knopp, to execute an agreement with Berkshire Engineering and Surveying, LLC of Litchfield, CT to provide Land Surveying Services for the Brien McMahon High School Renovation Project for a total not to exceed \$13,250.00. Acct. No. 09025010 5777 C0237.

9. Authorize the Mayor, Alex A. Knopp, to execute an agreement with BL Companies to provide Wetland & Ecological Services of Meriden, CT for the Brien McMahon High School Renovation Project for a total not to exceed \$5,460.00. Acct. No. 09025010 5777 C0237

1. **TECHNICAL CORRECTION:** to Common Council Action of December 18,

2001 Item VII. B. 1d. to read as follows as necessary to comply with State Board of Education requirements to properly reflect the name of the Architectural Firm, amount of the agreement and account numbers:

"Authorize the Mayor, Alex A. Knopp, to execute an agreement with Hibbard & Rosa Architects of Middletown, CT for architectural Services for the roof replacement projects at Norwalk High, Columbus Magnet, Cranbury Elementary, Fox Run Elementary, Marvin Elementary, Tracey Elementary and Rowayton Elementary for an amount not to exceed \$86,300.00. Funds are available in accounts 09025010 5777 C0211, 09025010 5777 C0243 through C0248."

12a. Authorize the Mayor, Alex A. Knopp, to execute a contract with JR Contracting & Environmental Consulting, Inc. of Wayne, NJ of for asbestos abatement relating to the Brookside School Replacement Project for a total not to exceed \$142,000.00. Acct. No. 09005010 5777 C0171.

12b. Authorize the School Building Committee to issue change orders on Contract for a total not to exceed \$25,000.00.

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

A. **PLANNING COMMITTEE**

1. Recommend the Common Council remove from the table the 04/10/01 request to approve the proposed City of Norwalk Analysis of Impediments to Fair Housing Choice. **CONSENT TO TABLE TO THE NEXT MEETING.**

2. Consider the approval of the proposed City of Norwalk Analysis of Impediments to Fair Housing Choice, draft dated 03/08/01 **CONSENT TO TABLE TO THE NEXT MEETING.**

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

B. OTHER GENERAL COUNCIL BUSINESS

There was none.

V. REPORTS: DEPARTMENT, BOARDS AND COMMISSIONS

VII. COMMON COUNCIL COMMITTEES (Continued:)

**A. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE
(Continued:)**

5a. Authorize the Mayor, Alex A. Knopp, to execute a contract with FGB Construction Company for the Flax Hill Park Improvement Project for a total not to exceed \$365,500.00. Acct Nos. 09006030-5777-C0178, 09006030-5777-C0068, 09016030-5777-C0072, 09026030-5777-C0217, and 09026030-5777-C0072.

**** MR. BONDI MOVED.**

Mr. Bondi congratulated the department for a job well done in getting this project going. There were a lot of conservation issues that had to be taken care of. Mr. Mokkaie and Mr. Lo did a fine job in getting this going. This will become a neighborhood park that hopefully will be used a lot. They are opening up a piece of open space that has been neglected. There will be a better driveway and better access into the park. Mr. Bondi asked if there would be any lighting going down the driveway and Mr. Mokkaie responded that there would not be.

Mr. Baker commended the department. He said this park is a great resource that has not been used to its potential.

Ms. Rivas said this is one of South Norwalk's best-kept secrets.

Mayor Knopp said the funds to renovate and upgrade this park will be well spent and will allow for more programs to be held in South Norwalk, including soccer.

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

5b. Authorize the Acting Director of Recreation and Parks Department to issue change

orders on contract for a total not to exceed \$9,100.

**** MR. BONDI MOVED.**

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

F. PUBLIC HEALTH & WELFARE

1. A report from the Committee Chairperson on Hatch & Bailey Progress.

Mrs. Bain recused herself from discussion on this item and left the Chambers.

Ms. Rivas said this situation has been very frustrating for the residents. The Public Health & Safety Committee brought this issue back so that it would not fall between the cracks. They are taking the issue in several parts because of its complexity. They are getting Public Works, the Health Department, the Zoning Department and the Police Department to come up with a workable plan to work with Hatch & Bailey.

Mr. Krummel said he had walked through this neighborhood last week and was very impressed with the care and neatness of the houses on the east side of South Main Street. He could see where dust could be a serious nuisance to the residents. The Council should see that action is taken to relieve this nuisance and he commended Ms. Rivas for pursuing this.

Mr. Wien also commended Ms. Rivas. He said this Council has inherited this mess and he was glad they were working on it.

Mrs. Bain returned to the meeting.

C. PLANNING COMMITTEE

1. Approve the attached Resolutions of the Common Council authorizing an extension of the time for the use of the power of eminent domain to acquire the following properties.

OWNER
ADDRESS
DATE

EXTENSION

Maritime Venture LLC 51 West Ave.
October 14, 2002

Maritime Venture LLC 31 Putnam Ave.
October 14, 2002

Florindo Trofa 25
Putnam Ave. October 14, 2002

James Mosely 63
West Ave. October 14,
2002

Prime Development Group LLC 1 Putnam Ave.
August 12, 2002

** **MR. MIKLAVE MOVED.**

** **MR. MIKLAVE AMENDED HIS MOTION TO DELETE 63 WEST AVENUE.**

Mr. Miklave said that the LDA between French, the City and the Redevelopment Agency provides for acquisition of these properties either through purchase or eminent domain. The issues are going to mediation starting today. These three owners have agreed to extend the period of time. Mr. Mosely has not agreed and that property will be taken by eminent domain.

** **THE AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE.**

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

A. **LAND USE & BUILDING MANAGEMENT** (Continued:)

1. Authorize the Mayor, Alex A. Knopp, to execute an amendment to Monument Conservation Collaborative, LLC's (Colebrook, CT) contract for condition assessment study of Pine Island, Mill Hill, Brookside, and Kellogg Cemeteries to include additional grave stone assessments, for a total not to exceed \$3,000.00. Acct. No. 356320 5258

** **MR. KRUMMEL MOVED.**

Mr. Krummel said that the Collaborative wrote a letter to the Historical Commission that they will not be able to complete the GPS survey before June 7, 2002. The State grant terminates on June 30th. The Collaborative is using a digital area photo and mapping procedures on the ground. This is additional work. They are agreeable that the GPS survey will be completed and will be provided, although after June 30th. The Chair of the Historical Commission wrote a letter that they will require the survey of Pine Island to be completed by June 30th. They are supporting the amendment.

Mr. Kimmel asked if the GPS survey was going to be done and Mr. Krummel responded affirmatively. Mr. Kimmel asked if they are now using the GPS and the GIS. Mr. Krummel said he did not know if they were using the GPS for Pine Island Cemetery. Mr. Kimmel asked why they were not able to complete the GPS on time. Mr. Krummel said he did not have the answer to that question.

Mr. Miklave said he was not sure as to the genesis of this request. He was unclear as to the cause for the additional \$3,000; therefore he will vote against this item.

**** MOTION PASSED WITH 8 VOTES IN FAVOR, 3 VOTES IN OPPOSITION (MR. PORUBAN, MR. BONDI, MR. MIKLAVE) AND 1 ABSTENTION (MR. KIMMEL).**

5. Authorize the Mayor, Alex A. Knopp, to execute a contract with Silktown Roofing of Manchester, Ct. for the Norwalk High School roof replacement project for a total not to exceed \$1,227,000. Acct. #09025010 5777 C0246

**** MR. KRUMMEL MOVED.**

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

10. TECHNICAL CORRECTION: to Common Council Action of December 18, 2001 Item VII. B. 1c. to read as follows as necessary to comply with State Board of Education requirements to properly reflect the name of the Construction Management Firm, amount of the agreement and account numbers: "**Authorize the Mayor, Alex A. Knopp, to execute an agreement with Turner Construction of Milford, CT for construction management services as advisor (CMa) for the roof replacement projects at Norwalk High, Columbus Magnet, Cranbury Elementary, Fox Run Elementary, Marvin Elementary, Tracey Elementary and Rowayton Elementary for an amount not to exceed \$240,000.00. Funds are**

available in accounts 09025010 5777 C0211,
09025010 5777 C0243 through C0248."

** **MR. KRUMMEL MOVED.**

Mr. Miklave recused himself from discussion and vote on this item and left the room.

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

Mr. Miklave returned to the meeting.

VIII. RESOLUTIONS FROM COUNCIL MEMBERS

There were none.

IX. SUSPENSION OF THE RULES

No items were taken up under suspension of rules.

X. ADJOURNMENT

Mr. Bondi said that the new Brien McMahon football field would be ready for graduation in June.

Mr. Miklave said that the Planning Committee would be conducting a tour of the West Avenue project on Saturday from 9:30 a.m. to 11:30 a.m. Members of the Planning Committee, the Council and the public are invited.

Mayor Knopp said that the Traffic Summit would be held in the Community Room tomorrow night and at various sites throughout the City the next day.

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

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

The meeting was adjourned at 9 p.m.

Attest: _____

Pam Stark, City Clerk