

COMMON COUNCIL

REGULAR MEETING

OCTOBER 11, 2022

NORWALK, CONNECTICUT

**COMMON COUNCIL CHAMBERS & VIA
TELECONFERENCE**

**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**

To allow public access, anyone may access a meeting by telephone, Zoom, and/or the City of Norwalk YouTube channel. Specific instructions and links can be found at norwalkct.org/meetings

Members of the public can call in and listen to a meeting. They will not be able to speak or see any of the meeting participants. Each meeting will use a unique Meeting/Webinar ID. Please find the information using the link above.

Members of the public who wish to provide "live comments" will need to register in advance and use the Zoom meeting platform. All participants will be muted upon entering the meeting. To speak, click the "raise your hand indicator" and you will be called by the host of the meeting during the public comment section. Please find the information using the link above.

Members of the public who wish to view the meeting, but are not participating, can view a live stream on the City of Norwalk YouTube channel. This stream is delayed by approximately 20 seconds. Please find the information using the link above. The meeting recording and minutes will be posted on the City of Norwalk website within seven (7) days after the meeting.

Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be read into the record, they should be submitted at least three hours in advance of the meeting start time. Please email Irene Dixon at idxon@norwalkct.org to provide written public comment prior to the meeting.

Mayor Rilling called the meeting to order at 7:32 p.m. and led the Assembly in reciting the Pledge of Allegiance.

I. ROLL CALL

Ms. Dixon called the Roll:

Council at Large: Mr. Gregory Burnett
 Ms. Dominique Johnson

Mr. Joshua Goldstein
Ms. Nora Niedzielski Eichner

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Ms. Barbara Smyth

District A:	Ms. Nicol Ayers	Mr. David Heuvelman
District B:	Ms. Diana Revolus	Ms. Darlene Young
District C:	Mr. John Kydes	
District D:	Ms. Heidi Alterman (7:49 p.m.)	Mr. Bryan Meek
District E:	Mr. Thomas Livingston	Ms. Lisa Shanahan

At Roll Call there were thirteen (13) Common Council members present and two (2) absent (Ms. Ms. Alterman and Ms. McMurrer). A Quorum was present.

Also present were City Clerk, Irene Dixon, Assistant City Clerk, Jordan Schantz and Corporation Counsel, Mario Coppola.

II. ACCEPTANCE OF MINUTES

Regular Meeting: September 27, 2022

The following corrections were made:

Correct the spelling of Mr. Milligan's name and Freese Park.

**** MS. SMYTH MOVED TO APPROVE THE MINUTES AS CORRECTED
** MOTION PASSED WITH THREE (3) ABSTENTIONS (MS. NIEDZIELSKI
EICHNER; MS. REVOLUS AND MS. ALTERMAN)**

III. PUBLIC PARTICIPATION

There were no members of the public who wished to participate this evening.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS: There were no resignations announced this evening.

APPOINTMENTS: There were no appointments announced this evening.

REAPPOINTMENTS:

**** MS. SMYTH MOVED TO APPROVE THE REAPPOINTMENT OF DAVID JAEGER TO THE TRANSIT DISTRICT**

Ms. Smyth spoke in support of the reappointment.

**** MOTION PASSED UNANIMOUSLY**

Mayor Rilling thanked Mr. Jaeger for his willingness to serve.

MAYOR'S REMARKS:

Mayor Rilling announced that Norwalk declared a water emergency last Friday due to critically low water levels and asked residents to abide by conservation efforts.

Mayor Rilling explained that the City continues its celebration of Hispanic Heritage month, celebrating the communities' endless contributions to the city. October is both Domestic Violence Awareness month and Breast Cancer Awareness month and it is critically important to highlight and to continue to spread awareness. Norwalk's Charter Revision Commission will hold their first public hearing on Wednesday, October 12th, at 6:00 p.m. in the Community Room.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS:

Mr. Livingston noted that tomorrow's Charter Revision Commission's public hearing is a mandated public hearing under State of Connecticut law, but will not be the only public hearing.

Mr. Livingston announced that Mr. Goldstein would be reading this evening's Consent Calendar.

RESIGNATION AND APPOINTMENTS:

RESIGNATIONS: There were no resignations announced this evening.

APPOINTMENTS: There were no appointments announced this evening.

REAPPOINTMENTS: There were no reappointments announced this evening.

B. CONSENT CALENDAR:

**** MR. GOLDSTEIN MOVED TO APPROVE THE FOLLOWING CONSENT CALENDAR:**

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

A. CORPORATION COUNSEL

VII. COMMON COUNCIL COMMITTEES

A. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO A THREE-YEAR AGREEMENT WITH ATLAS PYROVISION ENTERTAINMENT GROUP, INC FOR THE CITY FIREWORKS DISPLAY IN AN AMOUNT NOT TO EXCEED \$43,500.00 FOR 2023, \$47,000.00 FOR 2024, \$49,000.00 FOR 2025, \$52,000.00 FOR 2026 (EXTENSION) AND \$52,000.00 2027 (EXTENSION). ACCOUNT 014103-5298

1A. AUTHORIZE THE DIRECTOR OF RECREATION AND PARKS, OR HIS DESIGNEE, TO APPROVE THE TWO ONE-YEAR CONTRACT EXTENSIONS AS OUTLINED ABOVE.

2. AUTHORIZE THE PURCHASING AGENT O ISSUE A PURCHASE ORDER TO GABRIELLI ISUZU TRUCK IN AN AMOUNT NOT TO EXCEED \$78,676.64 FOR THE SOLE SOURCE PURCHASE OF A 2023 NPRGAS HD ISUZU BOX TRUCK FROM ARPA ACCOUNT: 134010-5796-ARP02.

B. PUBLIC WORKS COMMITTEE

**1. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO C.N. WOOD ENVIRO, LLC FOR THE PURCHASE OF ONE (1) PELICAN NP THREE-WHEEL BROOM STREET SWEEPER FOR A SUM NOT TO EXCEED \$275,345.00
ACCOUNT NO. 09 23 4031 5777 C0313**

2. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO TOTAL FENCE LLC - STATE CONTRACT 18PSX0147 FOR THE SUPPLY AND INSTALLATION OF ABOUT 165 LINEAR FEET OF MERRITT PARKWAY GUIDERAIL ON AIKEN ST. FOR A SUM NOT TO EXCEED \$25,790.00. ACCOUNT NO. 09 23 4021 5777 C0021

09 22 4120 5777 C0581

3A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH THE NY-CONN CORPORATION FOR STATE PROJECT 102-364 WEST AVENUE TRAFFIC SIGNAL SYSTEM UPGRADE, FAP 1102-124 FOR AN AMOUNT NOT TO EXCEED \$870,914.00.

ACCOUNT NO. FHWA LRARP GRANT (90%)

09 22 4120 5777 C0232

09 23 4120 5777 C0232

3B. AUTHORIZE THE DIRECTOR OF TRANSPORTATION, MOBILITY AND PARKING, TO EXECUTE ORDERS ON CONTRACT WITH THE NY-CONN CORPORATION FOR STATE PROJECT 102-364 WEST AVENUE TRAFFIC SIGNAL SYSTEM UPGRADE, PAP 1102-124 FOR AN AMOUNT NOT TO EXCEED \$87,091. ACCOUNT NO. FHWA LRARP GRANT (90%)

09 22 4120 5777 C0232

09 23 4120 5777 C0232

4. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO GABRIELLI TRUCK SALES OF MILFORD FOR THE PURCHASE OF ONE (1) 2023 MACK GR42F PLOW TRUCK NOT TO EXCEED \$265,043.00.

ACCOUNT NO. 09 22 4031 5777 C0313

5. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO GABRIELLI TRUCK SALES OF MILFORD FOR THE PURCHASE OF ONE (1) 2024 MACK GR42F PLOW TRUCK NOT TO EXCEED \$290,801.00.

ACCOUNT NO. 09 22 4031 5777 C0313

09 23 4031 5777 C0313

6A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH A. VITTI EXCAVATORS, LLC FOR PROJECT BR2022-1(SITE 1 AND SITE 2) - BONNY BROOK ROAD OVER HOLY GHOST FATHERS BROOK (SITE 1) AND CANNON STREET OVER BETTS POND BROOK (SITE 2), FOR A SUM NOT TO EXCEED \$654,365.00. ACCOUNT NO.

09 21 4021 5777 C0315

09 22 4021 5777 C0315

09 23 4021 5777 C0315

09 19 4021 5777 C0617

09 20 4021 5777 C0617

09 21 4021 5777 C0617

09 22 4021 5777 C0617

09 23 4021 5777 C0617

09 21 4021 5777 C0440

6B. AUTHORIZE THE INTERIM CHIEF OF OPERATIONS AND PUBLIC WORKS TO EXECUTE ORDERS ON THE CONTRACT WITH A. VITTI EXCAVATORS, LLC FOR PROJECT BR2022-1 (SITE 1 AND SITE 2) – BONNY BROOK ROAD OVER HOLY GHOST FATHERS BROOK (SITE 1) AND CANNON STREET OVER BETTS POND BROOK (SITE 2), FOR A SUM NOT TO EXCEED \$65,436.50.

ACCOUNT NO. 09 21 4021 5777 C0315

09 22 4021 5777 C0315

09 23 4021 5777 C0315

09 19 4021 5777 C0617

09 20 4021 5777 C0617

09 21 4021 5777 C0617

09 22 4021 5777 C0617

09 23 4021 5777 C0617

09 21 4021 5777 C0440

7A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A SECOND AMENDMENT LO THE ORIGINAL SEPTEMBER 8, 2020 AGREEMENT BETWEEN THE CITY OF NORWALK AND M. RONDANO, INC. FOR PROJECT DRG 2020-1 ON-CALL DRAINAGE IMPROVEMENTS AT VARIOUS LOCATIONS FOR A SUM NOT TO EXCEED \$1,052,138.80.

ACCOUNT NO. 134010 5796 APW05

09 20 4062 5777 C0361

09 22 4027 5777 C0302

09 22 4021 5777 C0021

09 23 4021 5777 C0021

09 20 4027 5777 C0643

09 21 4027 5777 C0643

09 22 4027 5777 C0643

09 23 4021 5777 C0315

09 23 7100 5777 C0583

09 21 4021 5777 C0440

09 22 4021 5777 C0440

7B. AUTHORIZE THE INTERIM CHIEF OF OPERATIONS AND PUBLIC WORKS, TO EXECUTE ORDERS ON THE CONTRACT WITH M. RONDANO, INC. FOR PROJECT DRG 2020-1 ON-CALL DRAINAGE IMPROVEMENTS FOR A SUM NOT TO EXCEED \$105,213.78.

ACCOUNT NO. 134010 5796 APW05

09 20 4062 5777 C0361

09 22 4027 5777 C0302
09 23 4021 5777 C0302
09 22 4021 5777 C0021
09 23 4021 5 777 C0021
09 20 4027 5777 C0643
09 21 4027 5777 C0643
09 22 4027 5777 C0643
09 23 4021 5777 C0315
09 23 7100 5777 C0583
09 21 4021 5777 C0440
09 22 4021 5777 C0440

8. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A 2ND AMENDMENT TO THE SEPTEMBER 8, 2020 AGREEMENT BETWEEN THE CITY OF NORWALK AND AHNEMAN KIRBY, LLC. FOR PROJECT NO. 4048 ON-CALL SURVEYING SERVICES FOR A SUM NOT TO EXCEED \$150,000.00. ACCOUNT NO. 09 21 4021 5777 C0302

09 22 4021 5777 C0302
09 21 4021 5777 C0315
09 22 4021 5777 C0315
09 23 4021 5777 C0315
09 21 6030 5777 C0365
09 22 6030 5777 C0365
09 23 6030 5777 C0365
09 21 4021 5777 C0318
09 22 4021 5777 C0318
09 20 4021 5777 C0643
09 21 6030 5777 C0643
09 22 4021 5777 C0643
09 23 7100 5777 C0583
09 20 4021 5777 C0021
09 21 4021 5777 C0021
09 22 4021 5777 C0021
09 23 4021 5777 C0021
01 40 30 5258

C. PUBLIC SAFETY AND GENERAL GOVERNMENT COMMITTEE

1A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL AGREEMENT AND DOCUMENTS NECESSARY TO APPLY FOR AND ACCEPT GRANT FUNDING UNDER THE STATE OF CONNECTICUT, DEPARTMENT OF TRANSPORTATION, FY 2023 HIGHWAY SAFETY

**PROJECT, DRE INSTRUCTOR SUPPORT GRANT, NOT TO EXCEED \$34,000.
ACCOUNT: TBD**

**1B. AUTHORIZE THE CHIEF OF POLICE, THOMAS KULHAWIK TO
EXECUTE ANY AND ALL AGREEMENTS, DOCUMENTS, INSTRUMENTS,
AND AMENDMENTS AS MAY BE NECESSARY TO IMPLEMENT THE STATE
OF CONNECTICUT, DEPARTMENT OF TRANSPORTATION, FY 2023
HIGHWAY SAFETY PROJECT, DRE INSTRUCTOR SUPPORT GRANT, NOT
TO EXCEED \$34,000. ACCOUNT TBD.**

**2A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY
AND ALL AGREEMENT AND DOCUMENTS NECESSARY TO APPLY FOR
AND ACCEPT GRANT FUNDING UNDER THE STATE OF CONNECTICUT,
FY 2023 HARPA AUTO THEFT & VIOLENCE GRANT, NOT TO EXCEED
\$35,000. ACCOUNT: TBD**

**2B. AUTHORIZE THE CHIEF OF POLICE, THOMAS KULHAWIK TO
EXECUTE ANY AND ALL AGREEMENTS, DOCUMENTS, INSTRUMENTS,
AND AMENDMENTS AS MAY BE NECESSARY TO IMPLEMENT THE STATE
OF CONNECTICUT, FY 2023 ARPA AUTO THEFT & VIOLENCE GRANT,
NOT TO EXCEED \$35,000. ACCOUNT TBD.**

D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

**2. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A THIRD
AMENDMENT TO THE MANAGEMENT AGREEMENT BETWEEN THE CITY
OF NORWALK AND, ODYSSEY LEARNING INC. TO PROVIDE EARLY
CHILDHOOD PROGRAMS IN NATHANIEL ELY CENTER TO EXTEND THE
TERMS OF THE AGREEMENT FROM JUNE 27, 2022 TO JUNE 30, 2024.**

**3. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A THIRD
AMENDMENT TO THE MANAGEMENT AGREEMENT BETWEEN THE CITY
OF NORWALK AND GROWING SEEDS TOO CHILD DEVELOPMENT
CENTER, LLC TO PROVIDE EARLY CHILDHOOD PROGRAMS IN
BENJAMIN FRANKLIN CENTER TO EXTEND THE TERM OF THE
AGREEMENT FROM JUNE 27, 2022 TO JUNE 30, 2024.**

E. ECONOMIC AND COMMUNITY DEVELOPMENT

**1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN
AGREEMENT WITH CDM SMITH, INC FOR CONTRACT DOCUMENT
MODIFICATIONS AND CONSTRUCTION ADMINISTRATION SERVICES**

**FOR THE HAMILTON AVENUE PEDESTRIAN ACCESS ENHANCEMENT
PROJECT FOR AN AMOUNT NOT TO EXCEED \$59,000.00.**

**** MOTION PASSED UNANIMOUSLY**

Ms. Alterman joined the meeting at 7:49 p.m.

VII. COMMON COUNCIL COMMITTEES

B. PUBLIC WORKS COMMITTEE

**** MS. SMYTH MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING
TO EXECUTE AN AGREEMENT WITH KS CORPORATION FOR PROJECT
TMP 2022-3 FURNISHING AND INSTALLING TRAFFIC SIGNS- CT
COMMUNITY CONNECTIVITY GRANT, FOR AN AMOUNT NOT TO
EXCEED \$47,600.00. ACCOUNT NO. 363751 5258 G0017**

**AND TO AUTHORIZE THE DIRECTOR OF TRANSPORTATION, MOBILITY
AND PARKING, TO EXECUTE ORDERS ON CONTRACT WITH KS
CORPORATION FOR PROJECT TMP 2022-3 FURNISHING AND
INSTALLING TRAFFIC SIGNS - CT COMMUNITY CONNECTIVITY GRANT,
FOR AN AMOUNT NOT TO EXCEED \$4,760.00. ACCOUNT NO. 363751 5258
G0017**

Ms. Smyth highlighted the projects and noted they were 100% funded.

Mr. Travers, Director of Transportation and Mobility said they were very happy to move forward on this. He explained they had many conversations with the Connecticut Department of Transportation and this will nearly double the number of City dedicated bike lanes.

Mr. Livingston added that this further the goals of the POCD.

**** MOTION PASSED WITH ONE (1) ABSTENTION (MS. REVOLUS)**

**** MS. SMYTH MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING,
TO EXECUTE A 1ST AMENDMENT TO THE SEPTEMBER 8, 2020,
AGREEMENT BETWEEN THE CITY OF NORWALK AND SAFETY
MARKINGS, INC. FOR PROJECT TMP2020-2 PROPOSED PAVEMENT
MARKING, SYMBOLS AND LEGENDS AT VARIOUS LOCATIONS FOR A
SUM NOT TO EXCEED \$71,494.50.
ACCOUNT NO. 363751 5345 G0017**

**AND TO AUTHORIZE THE DIRECTOR OF TRANSPORTATION, MOBILITY AND PARKING, TO EXECUTE A 1ST AMENDMENT TO THE SEPTEMBER 8, 2020, AGREEMENT BETWEEN THE CITY OF NORWALK AND SAFETY MARKINGS, INC. FOR PROJECT TMP2020-2 PROPOSED PAVEMENT MARKING, SYMBOLS AND LEGENDS AT VARIOUS LOCATIONS FOR A SUM NOT TO EXCEED \$7,149.45.
ACCOUNT NO. 363751 5345 G0017**

These are the safety markers for the previous items.

**** MOTON PASSED WITH ONE (1) ABSTENTION (MS. REVOLUS)**

D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

**** MR. LIVINGSTON MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH NEWFIELD CONSTRUCTION GROUP, LLC TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR THE SOUTH NORWALK ELEMENTARY SCHOOL PROJECT. TERMS OF THE AGREEMENT SHALL INCLUDE THE FOLLOWING:**

A. PRECONSTRUCTION PHASE SERVICES FOR A TOTAL NOT TO EXCEED \$98,000.00

B. CM FEE RATE OF 1.25% (% OF TOTAL TRADE BIDS).

C. PROJECTED GENERAL CONDITIONS FEES OF \$1,989,552.00

**D. CM CONTINGENCY AT 1.5% (% OF TOTAL TRADE BIDS)
FOLLOWING THE BIDDING PROCESS, A GUARANTEED MAXIMUM PRICE (GMP) WILL BE SUBMITTED TO COMMON COUNCIL FOR FINAL APPROVAL. ACCT. #09225010 5777 C0808.**

Mr. Livingston explained that this is the next step in moving the construction of the South Norwalk School. Newfield Construction was selected through an RFP process. He noted they have a lot of experience in the City.

Mr. Livingston said Mr. Lo was present to answer questions and wished him a happy birthday.

**** MOTION PASSED WITH ONE (1) ABSTENTION (MS. REVOLUS) AND ONE (1) VOTE IN OPPOSITION (MR. MEEK)**

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

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There were none this evening.

X. SUSPENSION OF RULES

There were none this evening.

XI. ADJOURNMENT

Mayor Rilling welcomed Ms. Revolus back.

**** MS. REVOLUS MOVED TO ADJOURN
** MOTION PASSED UNANIMOUSLY**

There was no further business, and the meeting was unanimously adjourned at 8:02 p.m.

ATTEST: _____
Irene Dixon, City Clerk