

COMMON COUNCIL REGULAR MEETING SEPTEMBER 13, 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

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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.

Mr. Livingston called the meeting to order at 7:33 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	Mr. Joshua Goldstein
	Ms. Dominique Johnson	Ms. Nora Niedzielski Eichner
	Ms. Barbara Smyth	

District A: Ms. Nicol Ayers Mr. David Heuvelman
District B: Ms. Darlene Young
District C: Mr. John Kydes Ms. Jenn McMurrer
District D: 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. Revolus and Ms. Alterman). 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:

There was no action taken.

III. PUBLIC PARTICIPATION

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

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS:

Mr. Livingston announced the following resignations and thanked all individuals for their service to the City. He noted that four of these individuals will move onto other roles in the City.

Chris Gavrielidis, Zoning Board of Appeals

Angela Wasunna, Housing Authority Board of Commissioners

Carl Dickens, Oak Hills Park Authority

Danielle Sanchick, Zoning Board of Appeals – Alternate

Jacquen Jordan-Byron, Planning and Zoning Commission - Alternate

APPOINTMENTS:

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**** MS. NIEDZIELSKI EICHNER MOVED TO APPROVE THE FOLLOWING APPOINTMENT**

DANIELLE SANCHICK, ZONING BOARD OF APPEALS – REGULAR

Ms. Niedzielski Eichner spoke in support of this appointment.

**** MOTION PASSED UNANIMOUSLY**

Due to a potential conflict of interest, Ms. Johnson recused herself from participating in the following vote.

**** MS. YOUNG MOVED TO APPROVE THE FOLLOWING APPOINTMENT
JACQUEN JORDAN-BYRON, PLANNING AND ZONING COMMISSION –
REGULAR**

Ms. Young and Mr. Goldstein spoke in support of the appointment

**** MOTION PASSED UNANIMOUSLY**

REAPPOINTMENTS: There were no reappointments announced this evening.

MAYOR’S REMARKS:

V. COUNCIL PRESIDENT

Mr. Livingston spoke about the incident that took place at the Oyster Festival this weekend. He condemned the violence and offered his best wishes to the Police Officer for a speedy recovery. Mr. Livingston reported more than 75 volunteers from Skip the Plastic Norwalk cleaned up hundreds of pounds of trash and plastic along the Norwalk River on Saturday, September 10th.

A. GENERAL COUNCIL BUSINESS:

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. Livingston announced that Ms. Ayers would be reading this evening’s Consent Calendar.

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**** MS. AYERS MOVED THE FOLLOWING CONSENT CALENDAR:**

VI.A.1, VI.A.2, VII.A.1, VII.A.2, VII.A.3, VII.A.4, VII.A.5, VII.A.6, VII.A.8A, VII.A.8B, VII.B.1, VII.B.2, VII.B.3, VII.B.4, VII.B.5, VII.B.7, VII.B.8, VII.B.9, VII.C.1, VII.C.2, VII.D.2, VII.D.3, VII.D.4, VII.E.1B, VII.E.2, VII.E.3

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

A. CORPORATION COUNSEL

**1. SETTLEMENT: SARA HALL V. CITY OF NORWALK - CLAIM NO. A18653
– EXECUTIVE SESSION**

2. AUTHORIZATION TO SETTLE CLAIM: ROBERT B. ZWILLICH, ET AL. V. CINTIA K. WILLIAMS – EXECUTIVE SESSION

VII. COMMON COUNCIL COMMITTEES

A. PUBLIC SAFETY & GENERAL GOVERNMENT COMMITTEE

1. AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO APPLY FOR AND ACCEPT GRANT FUNDS FROM THE DEPARTMENT OF JUSTICE UNDER THE FY2022/23 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT, IN THE AMOUNT OF. \$32,235.00. ACCOUNT # TBD

2. AUTHORIZE THE CHIEF OF POLICE, THOMAS E. KULHAWIK TO EXECUTE ANY AND ALL AGREEMENTS, DOCUMENTS AND/OR AMENDMENTS THAT MAY BE NECESSARY TO IMPLEMENT PROGRAMS UNDER THE DEPARTMENT OF JUSTICE FY 2022/2023 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT. \$32,235.00. ACCOUNT TBD.

3. AUTHORIZE THE MAYOR HARRY W. RILLING TO EXECUTE ANY AND ALL AGREEMENTS, DOCUMENTS, AND INSTRUMENTS WITH THE STATE OF CONNECTICUT, DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION FOR THE FOR THE USE AND IMPROVEMENT OF TELECOMMUNICATIONS FACILITIES IN WILTON, CT.

4. AUTHORIZE THE PURCHASING AGENT, SHARON CONNORS, TO ISSUE A PURCHASE ORDER UNDER STATE CONTRACT PRICING FOR TEN VEHICLES PER NORWALK PURCHASING GUIDELINES, NOT TO EXCEED \$420,000. ACCOUNT #09223010 5777

5. AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS TO HAVE SOUTH NORWALK ELECTRIC AND WATER INSTALL TWO (2) NEW STREETLIGHTS ON THE EXISTING UTILITY POLES ON BATES COURT IN ACCORDANCE WITH THE ATTACHED PLAN AT AN APPROXIMATE ONE-TIME FIXED COST OF \$960 AND AN APPROXIMATE COST OF \$40 PER MONTH, TO BE PAID FOR FROM ACCOUNT NO. 0140 86-5266.

6. AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS TO HAVE EVERSOURCE ELECTRIC INSTALL THREE (3) NEW STREETLIGHTS ON THE EXISTING UTILITY POLES AT THE NORTH, SOUTH AND WEST APPROACHES TO THE INTERSECTION OF DOVER STREET AND PROSPECT STREET IN ACCORDANCE WITH THE ATTACHED PLAN AT AN APPROXIMATE COST OF \$60 PER MONTH, TO BE PAID FOR FROM ACCOUNT NO. 0140 21-5241.

8A. AUTHORIZE THE MAYOR HARRY W. RILLING TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO APPLY FOR AND ACCEPT GRANT FUNDS FROM THE STATE OF CONNECTICUT, DEPARTMENT OF TRANSPORTATION UNDER THE FY2023 DISTRACTED DRIVING HIGH VISIBILITY ENFORCEMENT GRANT, IN AN AMOUNT NOT TO EXCEED \$50,000. ACCOUNT: TBD

8B. AUTHORIZE THE CHIEF OF POLICE, THOMAS E. KULHAWIK TO EXECUTE ANY AND ALL DOCUMENTS, AGREEMENTS, INSTRUMENTS AND AMENDMENTS THERETO AS MAY BE NECESSARY TO IMPLEMENT ALL PROGRAMS UNDER THE STATE OF CONNECTICUT, DEPARTMENT OF TRANSPORTATION, FY2023 DISTRACTED DRIVING HIGH VISIBILITY ENFORCEMENT GRANT PURSUANT TO SUCH FUNDING, IN AN AMOUNT NOT TO EXCEED \$50,000. ACCOUNT: TBD

B. FINANCE & CLAIMS COMMITTEE

1. FOR INFORMATIONAL PURPOSES ONLY: NARRATIVE ON TAX COLLECTIONS DATED: AUGUST 9, 2022

2. FOR INFORMATIONAL PURPOSES ONLY: MONTHLY TAX COLLECTOR'S REPORT DATED: JULY 2022

3. FOR INFORMATIONAL PURPOSES ONLY: REPORT OF THE CLAIMS COMMITTEE DATED: SEPTEMBER 2022

4. FOR INFORMATIONAL PURPOSES ONLY: NARRATIVE ON TAX COLLECTIONS DATED: SEPTEMBER 6, 2022

5. FOR INFORMATIONAL PURPOSES ONLY: MONTHLY TAX COLLECTOR'S REPORT DATED: AUGUST 2022

7. AUTHORIZE THE MAYOR HARRY W. RILLING TO ENTER INTO CONTRACT WITH VISION GOVERNMENT SOLUTIONS FOR REVALUATION OF RESIDENTIAL PROPERTIES IN AN AMOUNT NOT TO EXCEED \$900,000 ACCOUNT NO. 011321-5258 TAX ASSESSOR REVALUATION OTHER PROFESSIONAL SERVICES.

8. AUTHORIZE THE MAYOR HARRY W. RILLING TO ENTER INTO CONTACT WITH SAFEGROUND ANALYTICS INC. FOR REVALUATION OF COMMERCIAL PROPERTIES IN AN AMOUNT NOT TO EXCEED \$160,000 ACCOUNT NO. 011321-5258 TAX ASSESSOR REVALUATION OTHER PROFESSIONAL SERVICES.

9. AUTHORIZE THE MAYOR HARRY W. RILLING TO ENTER INTO CONTRACT WITH QUALITY DATA SERVICES, INC. FOR A ONE-YEAR MANAGED CLOUD SERVICE IN AN AMOUNT NOT TO EXCEED \$22,500 ACCOUNT NO. 09221370-5777-C0375.

C. ECONOMIC & AND COMMUNITY DEVELOPMENT COMMITTEE

1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO SIGN ALL FORWARDING DOCUMENTATION REQUIRED BY HUD FOR THE SUBMISSION OF THE PY47 CAPER.

**2. APPROVE THE SOLE SOURCE REQUEST FOR GATEWAY SIGNAGE WITH ABC SIGN CORPORATION IN AN AMOUNT NOT TO EXCEED \$33,000. ACCOUNT #: 0922 3720 5777 C0805
0922 3720 5777 C0806
0923 3720 5777 C0806**

D. PUBLIC WORKS COMMITTEE

2. AUTHORIZE THE MAYOR, HARRY W. RILLING TO ENTER INTO A SUBORDINATION AGREEMENT AND SUCH OTHER DOCUMENTS INCIDENTAL THERETO WITH METROPOLITAN REALTY ASSOCIATES, LLC WITH RESPECT TO THE CITY'S GENERAL UTILITY EASEMENT RECORDED IN VOL. 8478, PAGE 249 OF THE NORWALK LAND RECORDS AND IN CONNECTION WITH METROPOLITAN REALTY ASSOCIATES, LLC'S ELUR APPLICATION TO DEEP.

3. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO GENGRAS FORD, LLC. FOR THE PURCHASE OF TWO (2) 2022 F-350 CREW CAB DUMP TRUCKS FOR A SUM NOT TO EXCEED \$111,246.60. ACCOUNT NO. 09 23 4031 5777 C0313

4. AUTHORIZE THE INTERIM CHIEF OF OPERATIONS & PUBLIC WORKS, TO EXECUTE AN ORDER ON CONTRACT, TO THE AGREEMENT BETWEEN THE CITY OF NORWALK AND TIGHE & BOND, INC., FOR CONSTRUCTION INSPECTION/OBSERVATION SERVICES, FOR AN AMOUNT NOT TO EXCEED \$151,000.00. ACCOUNT NO. 09 21 4021 5777 C0440

09 22 4021 5777 C0440

09 23 4021 5777 C0440

09 20 4062 5777 C0361

09 22 4062 5777 C0361

09 23 4062 5777 C0361

09 19 4021 5777 C0021

09 20 4021 5777 C0021

09 21 4021 5777 C0021

09 22 4021 5777 C002 L

09 23 4021 5777 C002 L

09 14 4021 5799 C0315

09 22 4021 5777 C0315

09 19 4021 5777 C0318

09 21 4021 5777 C0318

09 22 4021 5777 C0318

09 23 4021 5777 C0318

13 40 10 5796 APW01

13 40 10 5796 APW05

13 40 10 5796 A9W06

E. LAND USE & BUILDING MANAGEMENT

1B. AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO EXECUTE CHANGE ORDERS ON CONTRACT FOR ADDITIONAL DESIGN SERVICES FOR A TOTAL NOT TO EXCEED \$100,000 ACCT. #09225010 5777 C0808.

2. AUTHORIZE TO INCREASE THE CONTINGENCY ON THE CONTRACT WITH G.L. CAPASSO, INC. FOR CITY HALL CUPOLA REPAIR AND PAINTING PROJECT FOR AN ADDITIONAL \$12,927.97. FUNDS ARE AVAILABLE IN ACCOUNT #'S 0922 7100 5777 C0476 AND 0921 7100 5777 C0439.

3. AUTHORIZE THE MAYOR, HARRY W. RILLING, OR HIS DESIGNEE, TO EXECUTE A CONSENT ORDER WITH DEEP RELATING TO VAPOR RECOVERY TESTING REQUIREMENTS FOR THE POLICE HEADQUARTERS GASOLINE PUMP STATION.

**** MOTION PASSED UNANIMOUSLY**

VII. COMMON COUNCIL COMMITTEES

A. PUBLIC SAFETY & GENERAL GOVERNMENT COMMITTEE

**** MS. MCMURRER MOVED TO APPROVAL OF AND VOTE ON THE SALARY ADJUSTMENT FOR ORDINANCE EMPLOYEES RETROACTIVE TO JULY 1, 2022.**

Ms. Fogel, Chief Human Resources Officer reviewed the item. Mr. Meek asked if these salary adjustments were done absent a performance review. Ms. Fogel said she understood performance evaluations were done in conjunction with a bonus pool. She added that she is working with Mayor Rilling's office to create a new performance evaluation; this is more of a cost of living increase.

**** MOTION PASSED WITH ONE (1) VOTE IN OPPOSITION (MR. MEEK)**

B. FINANCE & CLAIMS COMMITTEE

**** MR. BURNETT MOVED TO** Requesting a Special Capital Appropriation in the amount of \$200,000 to increase the appropriation to fund the Police Cars and Vans Replacement Account #09213010-5777-C0665 to purchase three new vehicles. This capital appropriation shall be funded through a reallocation of \$200,000 of authorized but unissued general obligation bonds or notes of the City from Project #09213610-5777-C0638 (Police Communications

Console). The \$200,000 of bonds or notes of the City shall be issued in accordance with the provisions and terms set forth in the original bond resolutions that authorized the issuance of bonds or notes of the City for Project #09213610-5777-C0638 (Police Communications Console).

AND TO Deauthorize in the amount of \$200,000 of authorized but unissued bonds from the Police Communications Console Account #09213610-5777-C0638 to purchase three vehicles for the Police Department.

Mr. Burnett reviewed the request. Ms. Niedzielski Eichner said she would be voting in opposition to this item. She said it was time the City made a concerted effort to purchase electric vehicles. She added that she appreciated the work of the Police Department in solving their problems. Ms. McMurrer said they all agree there need to be electric cars, but there are supply chain problems. Mr. Goldstein said this is a classic example where the practical runs up against the ideal. He said he understands there is a clear need for the vehicles and wants to make sure the Police Department voices its commitment to green vehicles. Ms. Shanahan said she agreed and added that after this vote she will not support the purchase of non-electric vehicles.

Deputy Chief Zecca said that they met with the Ford dealer in August regarding electric cars, but it would be a couple of years before they could transition to an electric vehicle fleet. In addition, they need to determine what infrastructure they would need to support electric vehicles into the fleet. Deputy Chief Zecca said they have been exploring purchasing electric vehicles, but it is a multi year plan.

Ms. Young said she hears both sides, but the Police Department needs to buy the cars. She said she did not want to just focus on the Police Department, but rather all City vehicles.

**** MOTION PASSED WITH ONE (1) VOTE IN OPPOSITION (MS. NIEDZIELSKI EICHNER)**

C. ECONOMIC & AND COMMUNITY DEVELOPMENT COMMITTEE

**** MR. KYDES MOVED TO** Authorize the Mayor, Harry W. Rilling, to execute an agreement between the City of Norwalk and Fitzgerald & Halliday, Inc. d/b/a FHI Studio for planning services for Norwalk Complete Streets Project in a total amount not to exceed \$250,000. Account #: 133710 5796 AEC03

Mr. Kydes explained that this item was off Consent to highlight the Complete Streets project. Mr. Travers said that 35 states have adopted this program. This is a bold move to be sure states will serve all road users. He expressed his appreciation to Mr. Bolella.

Mr. Livingston said this program is consistent with the POCD; however, his only concern is that it will take a long time. Mr. Burnett said this is a very welcome project. This project will lead the City toward Vision Zero.

**** MOTION PASSED UNANIMOUSLY**

D. PUBLIC WORKS COMMITTEE

**** MS. SMYTH MOVED TO APPROVE THE REQUEST FOR THE HONORARY NAMING OF TRINITY PLACE TO BISHOP JOSEPH D. CLEMMONS, SR. PLACE.**

Ms. Smyth spoke in support of this item. She reviewed Bishop Clemmons many contributions and achievements. She said this item passed unanimously in Committee. This item needs 2/3 plus 1 vote because Bishop Clemmons is alive.

Dr. Devale Hodge, Senior Pastor at the Miracle Temple Church of God in Christ spoke in support of this item. He said he is a firm believer of giving people flowers when they are here. He said this is the time for the Common Council to acknowledge the people who set the standards.

Mr. Burnett said that when one reviews Bishop Clemmons' resume, it reflects a commitment to Norwalk. He is worthy of emulation and praise. Mr. Burnett said he was proud and honored to be part of this Common Council who unanimously supports this. Bishop Clemmons is well deserving of this honor.

Ms. Young said it is an honor and privilege to be on the Common Council at this time.

**** MOTION PASSED UNANIMOUSLY BY ROLL CALL VOTE (MR. BURNETT; MR. GOLDSTEIN; MS. JOHNSON; MS. NIEDZIELSKI EICHNER; MS. SMYTH; MS. AYERS; MR. HEUVELMAN; MS. YOUNG; MR. KYDES; MS. MCMURRER; MR. MEEK; MR. LIVINGSTON; MS. SHANAHAN)**

E. LAND USE & BUILDING MANAGEMENT

**** MR. LIVINGSTON MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH TECTON ARCHITECTS TO PROVIDE ARCHITECTURAL DESIGN SERVICES FOR THE SOUTH NORWALK ELEMENTARY SCHOOL PROJECT FOR A TOTAL NOT TO EXCEED \$2,756,981 ACCT. #09225010 5777 C0808.**

Mr. Livingston explained that this is a continuation of the development of a new South Norwalk School. Based on the reviews of the proposals, Tectron Architects were chosen.

Mr. Alan Lo reviewed the project since it began in 2017. He said they anticipate completing the project in the fall of 2025. Mr. Livingston thanked Mr. Lo for his hard work on this project.

Mr. Meek thanked Mr. Lo. He said that when he was on the Board of Education, Dr. Adamowski was excited about a South Norwalk school. It said they would have a new school by now and given the neighborhood children a new school. The plan would have provided a playground. This plan is more costly to the taxpayers. Mr. Meek said this is good, but asked everyone to go to Meadow Street and Wilson Avenue at 6:00 a.m.; they need to do something to mitigate that they are in an industrial area. He said this is one of the worst decisions the City has made since permitting Manresa.

**** MOTION PASSED WITH ONE (1) VOTE IN OPPOSITION (MR. MEEK)**

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were none this evening.

X. SUSPENSION OF RULES

There were none this evening.

XI. ADJOURNMENT

**** MS. MCMURRER MOVED TO ADJOURN**

**** MOTION PASSED UNANIMOUSLY**

There was no further business, and the meeting was unanimously adjourned at 8:32 p.m.

ATTEST: _____
Irene Dixon, City Clerk