

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



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AGENDA

I. ROLL CALL

II. ACCEPTANCE OF MINUTES

Regular Meeting: July 14, 2020

III. PUBLIC PARTICIPATION

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS: Joshua M. Goldstein, Zoning Commission, Alternate, District B

APPOINTMENTS: Joshua M. Goldstein, Zoning Commission, Regular, District B

REAPPOINTMENTS: Galen Wells, Zoning Commission, Regular, District E

MAYOR'S REMARKS:

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS:

1. Vote on application of retired Police Officer Phillip Roselle regarding eligibility for additional compensation under Public Act 19-111.
2. Discussion regarding proposed settlement with the CC Rivington Defendant in litigation titled, City of Norwalk and City of Norwalk Redevelopment Agency vs. ILSR Owners, LLC and Wall St Opportunity Fund, LLC, Docket No. FST-CVIS-6038249-S, which is currently pending in the Stamford-Norwalk Judicial District at Stamford.

EXECUTIVE SESSION

B. CONSENT CALENDAR:

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

A. CORPORATION COUNSEL

1. Authorization for discussion: Settlement: Luther Atkinson v. City of Norwalk, et al **EXECUTIVE SESSION**

VII. COMMON COUNCIL COMMITTEES

A. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

- 1a. Authorize the Mayor, Harry W. Rilling, to enter into an agreement with Field Turf USA, Inc. (Sole Source) for the Synthetic Turf Surface at West Rocks School Proposed Soccer Field Complex for a sum not to exceed \$443,088.00. Account #'s 09206030-5777-C0631, 09216030- 5777-C0631.
- 1b. Authorize the Director of Recreation and Parks to execute change order on contract with Field Turf USA, Inc. (Sole Source) for the Synthetic Turf Surface at West Rocks School Proposed Soccer Field Complex for a sum not to exceed \$44,308.00. Account #'s 09206030-5777-C0631, 09216030-5777-C0631.

B. PUBLIC WORKS COMMITTEE

1. Authorize the Mayor, Harry W. Rilling, to execute any and all documents necessary for the conveyance of the following land from Norwalk Land Development, LLC to the City of Norwalk at no cost subject to a release of mortgage(s) encumbering said land:
 - a. Certain piece or parcel is identified as "Conveyance Area A" having an area of 1,263±S.F. as shown on map entitled "Right of Way Survey City of Norwalk Map Showing Land Acquired from Norwalk Land Development, LLC by the City of Norwalk" dated November 2019 prepared by Langan CT, Inc;

b. Said piece or parcel of property is identified as "Conveyance Area B" having an area of 237±S.F. as shown on map entitled "Right of Way Survey City of Norwalk Map Showing Land Acquired from Norwalk Land Development, LLC by the City of Norwalk" dated November 2019 prepared by Langan CT, Inc.

C. COMMUNITY SERVICES AND PERSONNEL COMMITTEE

1a. Authorize the Mayor, Harry W. Rilling, to execute any and all documents necessary to accept grant funds from the Ritter Foundation and Per and Astrid Heidenreich Family Foundation in the amount of \$125,000 each for the period September 1, 2020 through August 30, 2021.

1b. Authorize the Mayor, Harry W. Rilling, to execute any and all agreements, documents, instruments or amendments as may be necessary to implement the Connectivity Initiative Family Navigator Program Grant for the period September 1, 2020 through August 30, 2021.

D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1a. Authorize the Purchasing Department to issue Purchase Order(s) to Schoolwide, Inc. for elementary and middle schools English and Spanish literacy materials for a total not to exceed \$277,549.15 (shipping costs have been waived) Acct. #09215010 5777 C0609

1b. Authorize a contingency allowance in the amount not to exceed \$8,000 in the event of order adjustments.

2a. Authorize the Mayor, Harry W. Rilling, to execute an Agreement with AM Electric Company LLC. for the Silvermine Elementary School Air Conditioning and Electrical Upgrades Project for a total not exceed \$345,000. Funds are available in Acct. #09205010 5777 C0652.

2b. Authorize the NPS Facilities Department to issue Change Orders on this contract for a total of \$34,500. Funds are available in Acct. #09205010 5777 C0652.

3a. Authorize the Mayor, Harry W. Rilling, to execute an agreement with Premier Building Associates, LLC for the Ben Franklin Center Roof Replacement project (Phase 2) for a total not to exceed \$249,000.00. Funds are available from account #0920/21 7100 5777 C0295

3b. Authorize the Office of Building Management to issue change orders on the contract for a total not to exceed \$24,900.00.

E. ORDINANCE COMMITTEE

1. Approve the following revisions/amendments to Chapter 36 of the City Code:

- Chapter 36: Enterprise Zones
 - Section § 36-1 Applicability
 - Section § 36-2 Benefits; Eligibility
 - Section § 36-3 Reports
 - Section § 36-4 Sunset Provision

- Section § 36-5 When effective
- The accompanying Enterprise Zone map

F. HEALTH & PUBLIC SAFETY COMMITTEE

1. Authorize the Mayor, Harry W. Rilling to sign a Memorandum of Understanding with the American Red Cross regarding their Disaster Services Programs in Norwalk and the facility use agreement to provide shelter operations at Brien McMahon HS and Norwalk HS in the event of an emergency at no cost.

X. MOTIONS POSTPONED TO A SPECIFIC DATE

X. SUSPENSION OF RULES

XI. ADJOURNMENT

<u>ZONING COMMISSION</u>	<u>M/C</u>	<u>Nwlk. Code 79</u>
JOSHUA M. GOLDSTEIN (D) 21 Ann Street, Apt. B41 Norwalk, CT 06854		Term Expires 07/01/2023 Regular District B

REAPPOINTMENTS

<u>ZONING COMMISSION</u>	<u>M/C</u>	<u>Nwlk. Code 79</u>
GALEN WELLS (D) 224 West Norwalk Road Norwalk, CT 06850		Term Expires - 07/01/2023 Regular District E

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Mayor Rilling called the meeting to order at 7:44 p.m. and led the Assembly in reciting the Pledge of Allegiance.

I. ROLL CALL

Mr. Coppola called the Roll. The following Common Council members were present:

Council at Large:	Mr. Gregory Burnett	Ms. Dominique Johnson
	Mr. Manny Langella	Mr. Nicholas Sacchinelli

Ms. Barbara Smyth

District A:	Mr. David Heuvelman	Mr. Kadeem Roberts
District B:	Mr. Ernest Dumas	Ms. Darlene Young
District C:	Mr. John Kydes	Mr. George Theodoridis
District D:	Mr. George Tsiranides	Mr. Tom Keegan
District E:	Mr. Thomas Livingston	Ms. Lisa Shanahan

At Roll Call there were fifteen (15) Common Council members present. A Quorum was present.

Also present were Mayor Harry Rilling, City Clerk, Donna King and Corporation Counsel, Mario Coppola.

Ms. King read the notice.

II. ACCEPTANCE OF MINUTES

June 23, 2020

**** MR. BURNETT MOVED TO ACCEPT THE MINUTES AS PRESENTED**

**** MOTION PASSED UNANIMOUSLY**

III. PUBLIC PARTICIPATION

Public participation comments are not verbatim and represent a summarization of statements unless otherwise noted.

Mr. Todd Bryant, Norwalk Preservation Trust spoke about item 7B2, POKO. He said that for the last few months, he worked with the Redevelopment Agency and the developer to improve the design. The design, as it now stands, is vastly better and they get full credit for that. He added that any changes that have to be made now, are relatively small.

Mr. Jason Mulligan spoke in opposition to the POKO project and said that in the past year this project has gone completely underground. He said that POKO 2020 is a bad project. He said that Mr. McClutchy is a millionaire who does not spend time in Norwalk and wants to make a \$10 million development deal on this project.

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Common Council
Via Teleconference
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Mr. Mulligan said this project has fake infrastructure. He said that Norwalk will get 34 apartments below market rate, but the rest are expensive. Any other project would require 10% affordable housing; any other builder would have to build 18 apartments. The City will collect less in taxes than it currently gets. Mr. Mulligan asked the Common Council to make Mr. McClutchy pay his fair amount; this does not create tax revenue.

Ms. King read three letters into the record:

Mr. Patrick McMahon submitted a letter in support of the Wall Street project.

Ms. Diane Lauricella submitted a letter in opposition to the West Rocks project and asked that the items related to West Rocks be tabled.

Ms. Audrey Cozzarin, Chair Oak Hills Park Nature Advisory spoke in opposition to the use of artificial turf and said there is no place for it in Norwalk.

Ms. Audrey Avalon wished to speak and asked why no one addressed Mr. Mulligan. She asked about the plans for Isaac Street. Mayor Rilling recommended that Ms. Avalon contact Mr. Carr who can share those plans with her.

IV. **MAYOR**

A. RESIGNATION AND APPOINTMENTS

RESIGNATIONS: There were no resignations this evening.

APPOINTMENTS:

**** MS. SMYTH MOVED TO APPROVE THE FOLLOWING APPOINTMENT:**

MATTHEW O'CALLAGHAN, ARTS COMMISSION

Ms. Smyth spoke in support of the appointment.

**** MOTION PASSED UNANIMOUSLY**

**** MS. SMYTH MOVED TO APPROVE THE FOLLOWING APPOINTMENT:**

TANNER THOMPSON, BIKE WALK COMMISSION

Ms. Smyth spoke in support of the appointment.

**** MOTION PASSED UNANIMOUSLY**

**** MR. KEEGAN MOVED TO APPROVE THE FOLLOWING APPOINTMENT**

DENISE BROWN, OAK HILLS PARK AUTHORITY

Mr. Keegan spoke in support of the appointment.

**** MOTION PASSED UNANIMOUSLY**

**** MS. YOUNG MOVED TO APPROVE THE FOLLOWING APPOINTMENT**

TAMARA A. SHOCKLEY, PLANNING COMMISSION

Ms. Young spoke in support of the appointment.

**** MOTION PASSED UNANIMOUSLY**

**** MR. KEEGAN MOVED TO APPROVE THE FOLLOWING APPOINTMENT**

MARK JACKSON, HISTORICAL COMMISSION

Mr. Keegan spoke in support of the appointment.

**** MOTION PASSED UNANIMOUSLY**

REAPPOINTMENTS:

**** MR. ROBERTS MOVED TO APPROVE THE FOLLOWING REAPPOINTMENTS**

NORI A. GRUDIN, ARTS COMMISSION

BRIAN KASPR, ARTS COMMISSION

JANET EVELYN, ARTS COMMISSION

Mr. Roberts spoke in support of the reappointments.

**** MOTION PASSED UNANIMOUSLY**

**** MR. LIVINGSTON MOVED TO APPROVE THE FOLLOWING REAPPOINTMENTS**

JUDSON R. ALEY, BIKE WALK COMMISSION

COLIN J. GROTHEER, BIKE WALK COMMISSION

Mr. Livingston spoke in support of the reappointments.

**** MOTION PASSED UNANIMOUSLY**

**** MR. KYDES MOVED TO APPROVE THE FOLLOWING REAPPOINTMENTS**

FRAN DIMEGLIO, PLANNING COMMISSION

MARY PENISTON, PLANNING COMMISSION

Mr. Kydes spoke in support of the reappointments

**** MOTION PASSED UNANIMOUSLY**

MAYOR'S REMARKS:

Mayor Rilling welcomed the new Superintendent of Schools, Dr. Alexandra Estrella, to Norwalk. He said she is committed to open communication. He added that he feels she will be a pleasure to work with.

Mayor Rilling said the City is working with Wall Street Theater and local restaurants to bring independent films into the Wall Street area. He said plans on providing a unique graduation experience for Norwalk's high school seniors are in motion. Covid robbed the high school seniors of their graduation.

On July 27, 2020, a second walk up window at City Hall will be added to increase timely service to residents. In addition, there will also be a drop box, where people can drop off documents for various departments.

While several states are experiencing a resurgence of COVID 19 cases, Norwalk and the State of CT have fared better because of the caution exercised in the reduction of restrictions brought about by the pandemic.

Mayor Rilling said he was proud of the people in Norwalk. He sees people practicing social distancing and wearing masks.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS:

Ms. Smyth said she looked forward to a collaborative relationship with Dr. Estrella.

RESIGNATION AND APPOINTMENTS RESIGNATIONS:

APPOINTMENTS: There were none.

REAPPOINTMENTS: There were none.

B. CONSENT CALENDAR:

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

VII.A.1, VII.A.2a, VII.A.2b, VII.B.1, VII.B.2, VII.C.2, VII.C.3a, VII.C.3b, VII.C.3c, VII.C.4a, VII.C.4b, VII.C.6, VII.C.9, VII.C.10, VII.D.1, VII.D.3, VII.D.4, VII.D.5, VII.D.6, VII.E.1, VII.E.2a, VII.E.2b, VII.E.3a, VII.E.3b, VII.E.4a, VII.E.4b, VII.E.5, VII.E.6, VII.F.1, VII.F.2, VII.F.3, VII.F.4,

VI. REPORTS:

DEPARTMENTS, BOARDS AND COMMISSIONS

VII. COMMON COUNCIL COMMITTEES

A. HEALTH AND PUBLIC SAFETY COMMITTEE

1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT ON BEHALF OF THE FIRE DEPARTMENT TO SEAGRAVE FIRE APPARATUS LLC FOR THE PURCHASE OF A 100 FOOT LADDER TRUCK. NOT TO EXCEED \$1,350,000. ACCOUNT NUMBER 0920310 5777 C0437

2A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH MOTOROLA SOLUTIONS, INC. FOR THE SUPPLY, INSTALLATION, AND SERVICE OF RADIO SYSTEM DISPATCH CONSOLE EQUIPMENT FOR THE POLICE AND FIRE RADIO SYSTEM, PRICING AS PER STATE OF CONNECTICUT MASTER CONTRACT #A-99-001 AND # 967-A23-0338C, FOR AN AMOUNT NOT TO EXCEED \$895,184; FROM ACCOUNT # 09203620 5777 C0638 AND REMAINDER FROM ACCOUNT #01013071 5262.

2B. AUTHORIZE CHIEF THOMAS KULHAWIK TO EXECUTE CHANGE ORDER(S) TO THE ABOVE AGREEMENT FOR THE AMOUNT NOT TO EXCEED \$32,743. ACCOUNT #09203620 5777 C0638 AND 01013071 5262.

B. PLANNING COMMITTEE

1. APPROVE THE AMENDED PY45 ANNUAL ACTION PLAN (AAP) AND CITIZEN PARTICIPATION PLAN FOR THE INCLUSION OF CDBG-CV FUNDS AND AUTHORIZE THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS ASSOCIATED WITH THE AMENDED PY45 AAP TO HUD AND ALL DOCUMENTS CONSISTENT WITH THE AMENDED PY45 AAP.

2. AUTHORIZE THE MAYOR TO SUBMIT WAIVER REQUESTS RELATED TO THE CARES ACT/CDBG-CV PROGRAM TO HUD ON BEHALF OF THE AFFECTED PERSONS AS IDENTIFIED BY THE CDBG-CV PUBLIC DISCLOSURE FORMS.

C. PUBLIC WORKS COMMITTEE

2. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A SECOND AMENDMENT TO THE WOODARD & CURRAN AGREEMENT DATED AUGUST 12, 2019 TO PROVIDE ON-CALL PROFESSIONAL ENGINEERING SERVICES FOR THE STORM DRAINAGE SYSTEM EVALUATION IN ACCORDANCE WITH SCOPE OF SERVICES TASK ORDER 1E “DREAMY HOLLOW DRAINAGE SYSTEM IMPROVEMENTS” DATED JULY 1, 2020 (COPY OF INCLUDED) FOR A SUM NOT TO EXCEED \$578,886.00. ACCOUNT NO. 09 19 4027 5777 C0425 09 20 4027 5777 C0425

3A. TECHNICAL CORRECTION OF THE COMMON COUNCIL ACTION OF MARCH 12, 2019, ITEM VII.C.4 TO ADD ACCOUNTS DESIGNATED FOR THE REPAVING OF THE FIRE HOUSE APPARATUS MAINTENANCE BUILDING PARKING LOT LOCATED AT 100 FAIRFIELD AVENUE, ACCOUNT NUMBER: 09 16 3110 5777 C0509.

3B. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH DEERING CONSTRUCTION, INC. FOR PROJECT PM2019-1 PAVEMENT MANAGEMENT PROGRAM FOR A SUM NOT TO EXCEED \$4,538,688.50. ACCOUNT NO. 09 18 4021 5777 C0021 09 19 4021 5777 C0021 09 19 4027 5777 C0302 09 18 4021 5777 C0503 09 17 4021 5777 C0515 09 19 6030 5777 C0472 09 19 6310 5777 C0186 09 19 6310 5777 C0092 09 19 6310 5777 C0132 09 12 4021 5777 C0504 09 16 4021 5777 C0232 03 00 00 2602 01 41 50 5298 09 18 6030 5777 C0588 09 19 6030 5777 C0588 09 20 6030 5777 C0588 09 16 3110 5777 C0509

3C. AUTHORIZE THE CHIEF OF OPERATIONS AND PUBLIC WORKS TO EXECUTE ORDERS ON THE CONTRACT WITH DEERING CONSTRUCTION, INC. FOR PROJECT PM2019-1 PAVEMENT MANAGEMENT PROGRAM FOR A SUM NOT TO EXCEED \$453,868.85 ACCOUNT NO. 09 18 4021 5777 C0021 09 19 4021 5777 C0021 09 19 4027 5777 C0302 09 18 4021 5777 C0503 09 17 4021 5777 C0515 09 19 6030 5777 C0472 09 19 6310 5777 C0186 09 19 6310 5777 C0092 09 19 6310 5777 C0132 09 12 4021 5777 C0504 09 16 4021 5777 C0232 03 00 00 2602 01 41 50 5298 09

18 6030 5777 C0588 09 19 6030 5777 C0588 09 20 6030 5777 C0588 09 16
3110 5777 C0509

4A. TECHNICAL CORRECTION OF THE COMMON COUNCIL ACTION OF DECEMBER 10, 2019, ITEM VII.A.1 TO ADD ACCOUNTS DESIGNATED FOR LED STREET LIGHT CONVERSION DESIGN, ACCOUNT NUMBER: 09 20 4031 5777 C0647.

4B. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORWALK AND SOUTHPORT ASSOCIATES, PC, FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF THE HISTORIC STREET LIGHT SYSTEM ON WALL STREET, FOR A SUM NOT TO EXCEED \$16,800.00. ACCOUNT NO. 01 40 30 5258 09 20 4031 5777 C0647

5. DISCUSS AND VOTE TO SCHEDULE A PUBLIC HEARING TO INCREASE THE FEE FOR ACCEPTABLE SOLID WASTE FROM \$85/TON TO \$90/TON TO BE SET BY THE DEPARTMENT OF OPERATIONS AND PUBLIC WORKS FEE SCHEDULE. THE PUBLIC HEARING IS SCHEDULED FOR TUESDAY, AUGUST 4, 2020 AT 7:00 P.M. BY VIDEO CONFERENCE AND TELECONFERENCE. CONSENT TO REMOVE FROM AGENDA

6. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A RIGHT OF ACCESS AND ENTRY AGREEMENT WITH YANKEE GAS SERVICES COMPANY - DBA EVERSOURCE ENERGY - TO USE THE PROPERTY LOCATED AT 102 NEW CANAAN AVE FOR THE FLARE LOCATION AS PART OF THE ACTIVATION OF A 12" STEEL GAS MAIN LOCATED ON RT. 123.

8A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE CONVEYANCE OF THE FOLLOWING LAND FROM NORWALK LAND DEVELOPMENT, LLC TO THE CITY OF NORWALK AT NO COST SUBJECT TO A RELEASE OF MORTGAGE(S) ENCUMBERING SAID LAND: 1. CERTAIN PIECE OR PARCEL IS IDENTIFIED AS "CONVEYANCE AREA A" HAVING AN AREA OF 1,263±S.F. AS SHOWN ON MAP ENTITLED "RIGHT OF WAY SURVEY CITY OF NORWALK MAP SHOWING LAND ACQUIRED FROM NORWALK LAND DEVELOPMENT, LLC BY THE CITY OF NORWALK" DATED NOVEMBER 2019 PREPARED BY LANGAN CT, INC; 2. SAID PIECE OR PARCEL OF PROPERTY IS IDENTIFIED AS "CONVEYANCE AREA B" HAVING AN AREA OF 237±S.F. AS SHOWN ON MAP

ENTITLED “RIGHT OF WAY SURVEY CITY OF NORWALK MAP SHOWING LAND ACQUIRED FROM NORWALK LAND DEVELOPMENT, LLC BY THE CITY OF NORWALK” DATED NOVEMBER 2019 PREPARED BY LANGAN CT, INC. CONSENT TO REMOVE FROM AGENDA

8B. REFERRAL OF ITEM 9A TO THE PLANNING COMMISSION FOR A REPORT AND RECOMMENDED ACTION PURSUANT TO CONN. GEN. STAT. §8-24. CONSENT TO REMOVE FROM AGENDA

9. AUTHORIZE THE MAYOR, HARRY W. RILLING TO CONCUR WITH PROJECT AUTHORIZATION LETTER FOR STATE PROJECT 0102-0350 NORWALK RIVER VALLEY TRAIL – PHASE 2 AND TO PROVIDE A DEMAND DEPOSIT OF \$40,062 TO THE STATE OF CONNECTICUT. ACCOUNT NO. 09 16 4021 5777 C0407

10. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO C.N. WOOD OF CONNECTICUT, LLC, FOR THE PURCHASE OF ONE (1) VACTOR 2100 PLUS VACUUM TRUCK NOT TO EXCEED \$537,342.80. ACCOUNT NO. 09 21 4031 5777 C0313

D. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ADDENDUM NO. 1 WITH LAND-TECH CONSULTANTS, INC. FOR THE DESIGN SERVICES FOR PROJECT NO. 3860 WEST ROCKS MIDDLE SCHOOL ATHLETIC FIELD DESIGN SERVICES, DATED JANUARY 10, 2019, FOR A SUM NOT TO EXCEED \$32,300.00 FOR SURVEYING AND CONSTRUCTION ADMINISTRATION SERVICES. ACCOUNT #'S 09206030-5777-C0631, 09216030-5777-C0631.

2A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH FIELD TURF USA, INC. (SOLE SOURCE) FOR THE SYNTHETIC TURF SURFACE AT WEST ROCKS SCHOOL PROPOSED SOCCER FIELD COMPLEX FOR A SUM NOT TO EXCEED \$443,088.00. ACCOUNT #'S 09206030-5777-C0631, 09216030-5777-C0631. CONSENT TO REMOVE FROM AGENDA

2B. AUTHORIZE THE DIRECTOR OF RECREATION AND PARKS TO EXECUTE CHANGE ORDER ON CONTRACT WITH FIELD TURF USA, INC. (SOLE SOURCE) FOR THE SYNTHETIC TURF SURFACE AT WEST ROCKS SCHOOL PROPOSED SOCCER FIELD COMPLEX FOR A SUM NOT TO EXCEED \$44,308.00. ACCOUNT #'S 09206030-5777-C0631, 09216030-5777-C0631. CONSENT TO REMOVE FROM AGENDA

3. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO C.N. WOOD OF CONNECTICUT, LLC FOR THE PURCHASE OF ONE (1) TRACKLESS MT7 ARTICULATING TRACTOR AND V-PLOW ATTACHMENT NOT TO EXCEED \$130,955.00. ACCOUNT #'S 09186030-5777-C0486, 09196030-5777-C0486.

4. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH M.E. O'BRIEN & SONS (SOLE SOURCE) STATE CONTRACT #17PSX0081 FOR THE PURCHASE AND INSTALLATION OF PLAY EQUIPMENT AND ENGINEERED WOODFIBER SAFETY SURFACING AT TRACEY ELEMENTARY SCHOOL FOR A SUM NOT TO EXCEED \$119,198.00. ACCOUNT #'S 09206030-5777-C0364, 09216030-5777-C0364.

5. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH M.E. O'BRIEN & SONS (SOLE SOURCE) STATE CONTRACT #17PSX0081 FOR THE PURCHASE AND INSTALLATION OF PLAY EQUIPMENT AT SILVERMINE ELEMENTARY SCHOOL FOR A SUM NOT TO EXCEED \$147,983.00. ACCOUNT #'S 09206030-5777- C0364, 09216030-5777-C0364.

6. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ADDENDUM NO. 1 WITH FGB CONSTRUCTION COMPANY FOR PROJECT DPW RNP2020-1 NATHAN HALE MIDDLE SCHOOL BATHROOM – CONCESSION BUILDING SITE WORK FOR A SUM NOT TO EXCEED \$67,570.00. ACCOUNT #014150-5585.

E. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO A CONTRACT WITH THE NORWALK BOARD OF EDUCATION AND DURHAM STUDENT SERVICES, L.P. TO SUBLEASE 334 WILSON AVENUE, NORWALK, CONNECTICUT FOR A TERM CONTERMINOUS WITH THE “AGREEMENT FOR TYPE I AND TYPE II STUDENT TRANSPORTATION SERVICE BY AND BETWEEN THE NORWALK BOARD OF EDUCATION AND DURHAM SCHOOL SERVICES L.P.” DATED MAY 18, 2020, WHICH, ABSENT EXTENSION, ENDS ON JUNE 30, 2025.

2A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENTS WITH STEWART MECHANICAL SERVICES, INC. FOR THE ROTON MIDDLE SCHOOL PORTABLE AIR CONDITIONING AND ELECTRICAL UPGRADE – PHASE 2 PROJECT

FOR A TOTAL NOT EXCEED \$394,000. FUNDS ARE AVAILABLE IN ACCT. #09205010 5777 C0652.

2B. AUTHORIZE THE NPS FACILITIES DEPARTMENT TO ISSUE CHANGE ORDERS ON THIS CONTRACT FOR A TOTAL OF \$39,400. FUNDS ARE AVAILABLE IN ACCT. #09205010 5777 C0652.

3A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENTS WITH SALAMONE & ASSOCIATES, P.C. FOR THE NORWALK PUBLIC SCHOOLS OIL TANK REPLACEMENT PROJECT FOR A TOTAL NOT EXCEED \$106,670. FUNDS ARE AVAILABLE IN ACCT. #0921 5010 5777 C0789.

3B. AUTHORIZE THE NPS FACILITIES DEPARTMENT TO ISSUE CHANGE ORDERS ON THIS CONTRACT FOR A TOTAL OF \$10,700. FUNDS ARE AVAILABLE IN ACCT. #0921 5010 5777 C0789.

4A. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO PRECISION PLACEMENT LLC. FOR MOVING SERVICES FOR THE JEFFERSON ELEMENTARY SCHOOL RENOVATION AND IMPROVEMENT PROJECT FOR A TOTAL NOT TO EXCEED \$55,230. FUNDS ARE AVAILABLE IN ACCT. #09195010 5777 C0619.

4B. AUTHORIZE A CONTINGENCY ALLOWANCE FOR A TOTAL NOT TO EXCEED \$5,500.

5. AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO INCREASE THE PURCHASE ORDER WITH WILLIAM B. MEYER, INC. FOR MOVING SERVICES FOR THE PONUS RIDGE SCHOOL ADDITION AND ALTERATIONS PROJECT FOR A TOTAL NOT TO EXCEED \$20,000.00. ACCT. #09185010 5777 C0608.

6. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AMENDMENT TO THE O&G INDUSTRIES/AP CONSTRUCTION TMA, A JOINT VENTURE AGREEMENT FOR THE NORWALK MARITIME AQUARIUM FUNCTIONAL REPLACEMENT PROJECT TO PROVIDE ADDITIONAL STAFF SUPPORT FOR A TOTAL NOT TO EXCEED \$100,000 AND TO EXTEND THE COMPLETION DATE FOR THE 4D THEATER TO JANUARY 15, 2021 AND THE SEAL TANK TO MARCH 19, 2021. FUNDS ARE AVAILABLE FROM THE MARITIME AQUARIUM STATE FUNCTIONAL REPLACEMENT ACCOUNT #09194031 5799 C0635

F. FINANCE AND CLAIMS COMMITTEE

1. ACCEPT AND APPROVE THE REPORT OF THE CLAIMS COMMITTEE DATED: JULY 9, 2020

2. FOR INFORMATIONAL PURPOSES ONLY: NARRATIVE ON TAX COLLECTIONS DATED: JULY 9, 2020

3. FOR INFORMATIONAL PURPOSES ONLY: MONTHLY TAX COLLECTOR'S REPORT DATED: JUNE 2020

4. AUTHORIZE THE MAYOR, HARRY RILLING, TO EXECUTE A CONTRACT FOR MANAGEMENT AND ADMINISTRATION OF THE CITY'S WORKERS COMPENSATION AND HEART & HYPERTENSION PROGRAM FOR THE THREE YEAR PERIOD BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2023 AT A COST PER CLAIM BASED ON THE FOLLOWING SCHEDULE: REPORT ONLY CLAIMS - \$27 PER CLAIM COST; MEDICAL ONLY CLAIMS - \$215 PER CLAIM COST; INDEMNITY CLAIMS - \$1,175 PER CLAIM COST; AND HEART & HYPERTENSION CLAIMS - \$1,175 PER CLAIM COST. TOTAL ESTIMATE ANNUAL COST IS \$104,747 AND TOTAL ESTIMATE THREE-YEAR COST IS \$314,241. ACCOUNTS: 16-1344-5258 AND 16-5054-5258.

**** MOTION PASSED UNANIMOUSLY BY ROLL CALL VOTE (MR. BURNETT; MS. JOHNSON; MR. LANGELLA; MR. SACCHINELLI; MR. HEUVELMAN; MR. ROBERTS; MS. YOUNG; MR. KYDES; MR. THEODORIDIS; MR. KEEGAN; MR. TSIRANIDES; MR. LIVINGSTON; MS. SHANAHAN; MS. SMYTH)**

VII. COMMON COUNCIL COMMITTEES

B. PLANNING COMMITTEE

**** MR. KYDES MOVED TO APPROVE THE AMENDED LAND DISPOSITION AND DEVELOPMENT AGREEMENT ("LDA") BY AND BETWEEN THE CITY OF NORWALK, THE REDEVELOPMENT AGENCY OF THE CITY OF NORWALK AND POKO-IWSR DEVELOPERS, LLC, DATED NOVEMBER 14, 2007 (AS AMENDED), AND THE PROPOSED AMENDMENT TO THE LOAN RECOGNITION AGREEMENT ("LRA"), BY AND BETWEEN POKO-IWSR DEVELOPERS, LLC, THE CITY OF NORWALK, THE REDEVELOPMENT AGENCY OF THE CITY NORWALK, CITIBANK, N.A., DATED NOVEMBER 14, 2007 (AS AMENDED); AND AUTHORIZE THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS**

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**ASSOCIATED WITH THE AMENDED LDA AND LRA AS NECESSARY
TO ALLOW FOR THE PROPOSED DEVELOPMENT BY MUNICIPAL
HOLDINGS, LLC TO COMPLETE THE PHASE I CONSTRUCTION OF**

Attorney William Hennessey said he gave a detailed presentation to the Planning Committee on July 2nd. He provided an overview of the project.

In 2015 Phase I was put under construction. It involved an automated parking garage; however, after 14 months of construction it stopped. In the summer of 2017, Citibank gained control of the project and turned it over to JHM.

JHM studied the innovative parking garage and determined it was not working. They began looking at parking until spring 2018, when a third party purchased the parking area. By December 2018 the parking garage was judged to be useless and the substitute parking area disappeared.

Mr. Todd McClutchy reviewed the building and the programming. He said there were three main concerns with the project:

- 100% affordable units
- The art component
- The exterior architecture

Mr. McClutchy explained they addressed all three of the concerns and re-submitted their proposal in May 2020. He added the he feels they got it right.

Mr. McClutchy described the art component of the project. He said over the last year, they met with various representatives to improve the architectural design of the project. He presented drawings of the project.

Mr. McClutchy reviewed the income bands and said they came up with a tiering level. He described how they determined the income levels and noted they tried to create a broad mixture.

Mr. Kydes said that at the meeting last year, the Common Council imposed a wish list and he said JHM successfully achieved and surpassed those conditions. He said it was unfortunate that the theater is not there, but is happy to hear Mayor Rilling's announcement earlier this evening.

Mr. Kydes said he feels this is a solid project and asked his fellow Councilmembers to approve it.

Ms. Young asked about the number of bedrooms. She was told there would be 108 – two bedroom units and 16 one bedroom units. Ms. Young asked how the units would be dispersed. Mr. McClutchy said the affordable units are all located at 61 Wall Street due

to a Zoning issue. Ms. Young said that is a concern and asked if he could look into to. Mr. McClutchy said the goal is to intermingle the units.

Mr. Livingston noted this project has been in the works for a long time. He said he had a number of issues with this project, but will support it, because a lot has changed of the last year. He said that thanks to the efforts of Mr. Bryant and Mr. Beinfeld, this is a good project.

Mr. Livingston commented on the tax incentives and noted they align with other tax incentives given to other projects. This project will serve as a catalyst for the neighborhood. He added that he hoped they would be able to work toward a mutually satisfactory resolution with Mr. Mulligan.

Mr. Heuvelman asked about parking. Mr. McClutchy explained there is a commitment to provide a minimum of 30 public parking spaces. He said the required Zoning parking is a mathematical exercise and depends upon where the units are located. Mr. Heuvelman expressed concern about parking. He said he would like to see the project move forward to revitalize Wall Street.

Ms. Smyth said this project came a long way. It has been an eyesore in the Wall Street area. It is exciting to think about revitalizing the area.

Ms. Smyth said the affordable housing is very needed. She said she had an opportunity to tour the McClutchy projects in Darien and liked the commitment from the developer to create a sense of community.

Ms. Johnson asked about access for emergency service vehicles. Mr. McClutchy said they were challenged with that and said trucks will be able to get into the site and out of the site. He said he is comfortable that public safety will be well protected.

Mr. Burnett asked about the affordable housing units. He asked if they will create a waiting list for the property, or if additional affordable units would open up. Mr. McClutchy explained that these projects are regulated. In addition, they need to maintain the rents so they can pay their debt service. They can't create additional affordable units.

Ms. Shanahan asked what would happen if people max out on their income. Mr. McClutchy explained that people would be able to stay within the building.

Ms. Young asked about additional fees for amenities. Mr. McClutchy explained that all of the amenities were included in the rent.

Mr. Heuvelman asked about the development fee. Mr. McClutchy explained that the development fee is a component of the tax credit program. The State of Connecticut has a sliding fee. Mr. Coppola said that for the last year and a half, a lot of questions were answered about the development fee. He added that generally, the development fee is not favorable to the developer.

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Mr. John McClutchy said that a majority of the development fee goes back to the development of the project. He said he has a long relationship with Citibank and they agreed to defer a majority of the development fee to make the project work. He said they are not making what they would normally get for a project.

**** MOTION PASSED UNANIMOUSLY BY ROLL CALL VOTE (MR. BURNETT; MS. JOHNSON; MR. LANGELLA; MR. SACCHINELLI; MR. HEUVELMAN; MR. ROBERTS; MS. YOUNG; MR. KYDES; MR. THEODORIDIS; MR. KEEGAN; MR. TSIRANIDES; MR. LIVINGSTON; MS. SHANAHAN; MS. SMYTH)**

C. PUBLIC WORKS COMMITTEE

**** MR. TSIRANIDES MOVED TO APPROVE THE REQUEST FOR THE HONORARY NAMING OF THE PORTION OF CHESTNUT STREET FROM MONROE STREET TO MERRITT PLACE TO OFFICER CESAR RAMIREZ DRIVE.**

Mr. Tsiranides said he understood the importance of a City Ordinance, but feels this is a certain circumstance. He said that Officer Ramirez was very important to Norwalk. He said that this will add closure to his family and for the residents who knew him.

Mr. Burnett said Officer Ramirez was passionate about his work as a Police Officer and he loved his community. This tribute is our way of saying thank you for your service to Norwalk.

Mayor Rilling said he knew Officer Ramirez for many years; it was a very sad day when he found out he was ill. Officer Ramirez did so much for the community. Mayor Rilling said he did not think he ever saw him home because he was always out doing good for the community.

Ms. Young said she knows Officer Ramirez's youngest son and he always wondered why his father was always out helping people. His family saw the love from the community at his tribute.

Ms. Shanahan said the Ordinance was amended so they can consider an item like this with a super majority.

**** MOTION PASSED UNANIMOUSLY BY ROLL CALL VOTE (MR. BURNETT; MS. JOHNSON; MR. LANGELLA; MR. SACCHINELLI; MR. HEUVELMAN; MR. ROBERTS; MS. YOUNG; MR. KYDES; MR. THEODORIDIS; MR. KEEGAN; MR. TSIRANIDES; MR. LIVINGSTON; MS. SHANAHAN; MS. SMYTH)**

Mayor Rilling said this is a wonderful tribute and a ceremony will take place. Students from Columbus Magnet and the Side by Side Schools will be invited along with Officer Ramirez's family and the members of the Common Council.

**** MR. TSIRANIDES MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH THE GRASSO COMPANIES, LLC FOR PROJECT RD2020-1 CONCRETE, CURBS AND SIDEWALKS IN VARIOUS LOCATIONS FOR A SUM NOT TO EXCEED \$2,749,668.00. ACCOUNT NO. 09 20 4021 5777 C0318 09 20 4120 5777 C0649 09 20 4021 5777 C0021 09 21 4120 5777 C0649 09 21 4021 5777 C0318 09 21 4021 5777 C0021**

AND TO AUTHORIZE THE CHIEF OF OPERATIONS AND PUBLIC WORKS TO EXECUTE ORDERS ON THE CONTRACT WITH THE GRASSO COMPANIES, LLC FOR PROJECT RD2020-1 CONCRETE, CURBS AND SIDEWALKS IN VARIOUS LOCATIONS FOR A SUM NOT TO EXCEED \$274,966.80. ACCOUNT NO. 09 20 4120 5777 C0649 09 20 4021 5777 09 20 4021 5777 C0021 09 21 4120 5777 C0649 09 21 4021 5777 C0318 09 21 4021 5777 C0021

Mr. Tsiranides said this was a long time in coming.

Mr. Anthony Carr said they received four bids for this project and the lowest was from The Grasso Companies. The other bids were significantly higher. He reviewed the scope of work and said they plan to start the work in September.

**** MOTION PASSED UNANIMOUSLY BY ROLL CALL VOTE (MR. BURNETT; MS. JOHNSON; MR. LANGELLA; MR. SACCHINELLI; MR. HEUVELMAN; MR. ROBERTS; MS. YOUNG; MR. KYDES; MR. THEODORIDIS; MR. KEEGAN; MR. TSIRANIDES; MR. LIVINGSTON; MS. SHANAHAN; MS. SMYTH)**

F. FINANCE AND CLAIMS COMMITTEE

5. RESOLUTION:

**** MR. BURNETT MOVED TO APPROVE THE FOLLOWING RESOLUTION:**

GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF NORWALK (THE "CITY") IN A PRINCIPAL AMOUNT NOT EXCEEDING \$53,000,000 ARE HEREBY AUTHORIZED TO BE ISSUED, AND THE PROCEEDS THEREOF APPROPRIATED, IN SUCH AMOUNT OR IN SUCH LESSER AMOUNT AS SHALL BE NECESSARY TO REFUND ALL OR ANY PORTION OF THE CITY'S OUTSTANDING

**GENERAL OBLIGATION BONDS AND CLEAN WATER FUND
PROJECT LOAN OBLIGATIONS AND INTERIM FUNDING
OBLIGATIONS.**

THE BONDS, OR ANY PORTION THEREOF, MAY BEAR INTEREST WHICH IS INCLUDABLE IN THE GROSS INCOME OF HOLDERS THEREOF FOR FEDERAL INCOME TAX PURPOSES PURSUANT TO THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, AS THE ISSUANCE OF SUCH TAXABLE BONDS IS HEREBY DETERMINED TO BE IN THE PUBLIC INTEREST.

THE COMMON COUNCIL HEREBY DELEGATES TO THE MAYOR AND DIRECTOR OF FINANCE, SUBJECT TO THE FINAL APPROVAL OF THE PRESIDENT OF THE COMMON COUNCIL, THE MAJORITY LEADER OF THE COMMON COUNCIL, THE MINORITY LEADER OF THE COMMON COUNCIL AND THE CHAIRMAN OF THE FINANCE COMMITTEE OF THE COMMON COUNCIL, OR ANY TWO OF THEM (THE "COMMITTEE"), THE AUTHORITY TO DETERMINE THE NUMBER OF SERIES TO BE ISSUED, THE PRINCIPAL AMOUNT OF THE REFUNDING BOND OF EACH SERIES TO BE ISSUED, THE ANNUAL INSTALLMENTS OF PRINCIPAL, REDEMPTION PROVISIONS, IF ANY, OTHER TERMS, DETAILS AND PARTICULARS OF SUCH BONDS, INCLUDING THE RATE OR RATES OF INTEREST PAYABLE THEREON, TO MAKE APPOINTMENTS AND EXECUTE DOCUMENTS REFERENCED IN THIS RESOLUTION AND TO EXECUTE SUCH OTHER AGREEMENTS, INSTRUMENTS, DOCUMENTS AND CERTIFICATES NECESSARY OR DESIRABLE FOR THE ISSUANCE OF THE BONDS.

Mr. Burnett explained that this approach will lead to a potential savings over the life of the Bonds.

Mr. Henry Dachowitz, CFO introduced Mr. Matt Ritter and their new Bond Counsel.

Mr. Dachowitz said this refunding is comparable to refinancing a mortgage. He said everyone is predicting a long duration of low interest rates. They expect to close this deal at the beginning of August and expect to see significant savings.

**** MOTION PASSED UNANIMOUSLY BY ROLL CALL VOTE (MR. BURNETT; MS. JOHNSON; MR. LANGELLA; MR. SACCHINELLI; MR. HEUVELMAN; MR. ROBERTS; MS. YOUNG; MR. KYDES; MR. THEODORIDIS; MR. KEEGAN; MR. TSIRANIDES; MR. LIVINGSTON; MS. SHANAHAN; MS. SMYTH)**

VIII. RESOLUTIONS FROM COMMON COUNCIL

There were none this evening.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were none this evening.

X. SUSPENSION OF RULES

**** MR. SACCHINELLI MOVED TO SUSPEND THE RULES TO ADD AN ITEM FROM THE HEALTH AND PUBLIC SAFETY COMMITTEE TO THE AGENDA**

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

The following item was added:

VII.A. HEALTH AND PUBLIC SAFETY COMMITTEE

**** MR. SACCHINELLI MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH NORWALK HOSPITAL ACCEPTING NORWALK HOSPITALS COMMITMENT TO PROVIDE HEALTH CARE TO INDIGENT, UNINSURED, AND UNDERINSURED RESIDENTS OF CONNECTICUT AS HISTORIC LEVELS.**

Mr. Sacchinelli explained that this is an agreement with Norwalk Hospital to serve low income residents in Norwalk. There is no obligation on the part of the City of Norwalk.

Attorney Callahan said this is a statutory requirement for Norwalk Hospital. The City of Norwalk can opt out at any time.

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

**** MS. YOUNG MOVED TO SUSPEND THE RULES TO ADD AN ITEM TO THE AGENDA FROM THE PARKS, RECREATION AND CULTURAL AFFAIRS COMMITTEE**

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

VII. D. PARKS, RECREATION AND CULTURAL AFFAIRS COMMITTEE:

**** MS. YOUNG MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH TD AND SONS, INC. FOR PROJECT RNP2020-2 WEST ROCKS MIDDLE SCHOOL PROPOSED SOCCER FIELD COMPLEX FOR A SUM NOT TO EXCEED**

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\$1,016,078.80 (BASE BID), \$240,468.80 (LIGHTING AND PARKING LOT ALTERNATE), \$258,293.00 (CONCESSION STAND ALTERNATE), \$149,400.00 (TERRACED SEAT WALL ALTERNATE), AND \$36,000.00 (SAFETY NETTING ALTERNATE). ACCOUNT NO. 0920 6030 5777 C0631 0921 6030 5777 C0631

AND TO AUTHORIZE THE DIRECTOR OF RECREATION AND PARKS TO EXECUTE ORDERS ON CONTRACT WITH TD AND SONS, INC. FOR PROJECT RNP2020-2 WEST ROCKS MIDDLE SCHOOL PROPOSED SOCCER FIELD COMPLEX FOR A SUM NOT TO EXCEED \$170,024.06. ACCOUNT NO. 0920 6030 5777 C0631 0921 6030 5777 C0631

Mr. Nick Roberts explained the items. He said this was on the Parks and Recreation agenda last week, but a bid was misplaced and sent to West Rocks. It was the low bid.

Mr. Roberts said this is a much-needed project for the City of Norwalk. He said that regarding the field turf, there are approximately 1,000 fields built each year and it is not uncommon to use this material. There is a low risk of chemical exposure. The State of Connecticut concluded that the risk assessments were not elevated for adults and children. He said he spoke to the Director of the Health Department and she is waiting for results.

Mr. Roberts said they took alternative measures to reduce the temperature of the field by 40 degrees. He noted there are no additional maintenance costs.

Ms. Shanahan asked if there were any other environmental concerns about using this plastic product. She said she is quite concerned about the water supply and asked why they could not use grass. Mr. Roberts said they would not get the same playability.

Mr. Roberts said that Parks and Recreation and the Health Department are monitoring this. He said this product has been in use for 20 years and there have been extensive studies done.

Ms. Johnson asked about the crumb rubber. Mr. Roberts explained that this is a plastic mat. This will be the seventh field using this material. He said this product will be 40 degrees cooler than the crumb rubber. He said if someone rubs their hand over the material, they can get pieces on their hand. It is not 100% conclusive there are no elevated risks.

Ms. Johnson asked Mr. Roberts if he was prepared to remedy this if there are any issues with the material. He said that he believed the cost to replace an infield is \$90,000, but they will have to do what the study dictates.

**** MOTION PASSED BY ROLL CALL VOTE WITH THIRTEEN (13) VOTES IN FAVOR (MR. BURNETT; MS. JOHNSON; MR. LANGELLA;**

**MR. SACCHINELLI; MR. HEUVELMAN; MR. ROBERTS; MS. YOUNG;
MR. KYDES; MR. THEODORIDIS; MR. KEEGAN; MR. TSIRANIDES;
MR. LIVINGSTON; MS. SMYTH) AND ONE (1) VOTE IN OPPOSITION
(MS. SHANAHAN)**

XI. ADJOURNMENT

Ms. Smyth announced that the July 28th meeting of the Common Council may be cancelled.

**** MS. SMYTH MOVED TO ADJOURN
** MOTION PASSED UNANIMOUSLY BY VOICE VOTE**

There was no further business and the meeting was unanimously adjourned at 10:34 p.m.

ATTEST: _____
Donna King, City Clerk

JOSHUA M. GOLDSTEIN

21 Ann Street, Apt. B41

Norwalk, CT 06854

203-247-8760; Jgoldstein@ahctrtriallaw.com

BAR ADMISSIONS: Connecticut, 2019; New York, 2017; United States District Court for the Southern District of New York, 2017; United States District Court for the Eastern District of New York, 2018.

WORK EXPERIENCE

ADELMAN HIRSCH & CONNORS, Bridgeport, CT

Associate, September 2019 – Present

Represent plaintiffs in personal injury, medical malpractice, and wrongful death cases. Compose discovery and dispositive motions, conduct all aspects of discovery including oral examinations of witnesses and document discovery, and research pertinent legal issues. Represent plaintiffs in administrative proceedings and mediations.

SILVERMAN & ASSOCIATES, White Plains, NY

Associate, September 2017 – August 2019

Defended school districts and municipalities in civil rights, employment discrimination, special education, negligence, and tort claims. Conducted oral examinations of claimants, drafted dispositive motions and conducted discovery. Represented clients in administrative proceedings as well as in New York state and federal courts.

HONORABLE MARK CIMINO, New Jersey Tax and Superior Court, Atlantic City, NJ

Law Clerk, August 2016 – August 2017

Researched tax, family law, and foreclosure legal issues; made recommendations to judge on best course of action for cases and issues to pursue further. Drafted orders and opinions in tax cases including matters involving the New Jersey corporate business tax, local property assessment, and New Jersey tax exemptions. Aided in the handling of all aspects of foreclosure matters.

ONONDAGA COUNTY DISTRICT ATTORNEY, Syracuse, NY

Legal Intern, Appeals Division, August 2015 – April 2016

Drafted appellate briefs, assisted in trial preparation, and performed legal research on post-conviction motions, amendments to DWI law regarding ignition interlock devices, and the Sex Offender Registration Act. Negotiated traffic ticket disputes. Argued an appeal in Onondaga County Court seeking to affirm the trial court's decision regarding a defendant's sex offender registration level.

UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF NEW YORK, Brooklyn, NY

Legal Intern, Civil Division, May 2015 – August 2015

Wrote legal memoranda and brief sections, drafted deposition outlines, and performed legal research. Drafted an opposition memorandum of law in response to a plaintiff's motion for summary judgment where the District Court ruled in the government's favor. Attended and participated in pre-motion conferences and motion hearings as well as client meetings.

CONNECTICUT ATTORNEY GENERAL, Hartford, CT

Legal Intern, Special Litigation Department, May 2014 – August 2014

Drafted motions, attended oral arguments and client meetings. Wrote legal memoranda on topics including Connecticut false light invasion of privacy. Researched and drafted a memorandum regarding whether Indian Tribes could reapply for federal recognition.

ELIZABETH WARREN FOR MASSACHUSETTS, Beverly, MA

Campaign Field Organizer, September 2012 – November 2012

Managed a field office responsible for implementing the campaign field program in the North Shore. Recruited and supervised local volunteers through training, consulting, and networking. Monitored and improved campaign progress through data collection.

EDUCATION

SYRACUSE UNIVERSITY COLLEGE OF LAW, Syracuse, NY, J.D., May 2016

Honors: Dean's List, Fall 2013; 2016 Mackenzie Hughes Competition Director, Moot Court Honor Society; Associate Member, *Impunity Watch Law Journal*; 2014 CALI Excellence for the Future Award, Legal Writing and Research; Quarterfinalist, Lionel O. Grossman Trial Competition

MAXWELL SCHOOL OF CITIZENSHIP AND PUBLIC AFFAIRS, Syracuse, NY, M.P.A., 2016

THE GEORGE WASHINGTON UNIVERSITY, Washington, D.C., B.A., Political Science, 2012

D

District E

GALEN WRIGHT WELLS
 224 West Norwalk Road
 Norwalk, Connecticut 06850
 Phone: (203) 866-9045
 Fax: (203) 866-9078
 Email: gwwells@optonline.net

EDUCATION:

New York University L.L.M. 1985
 New York, New York

William Mitchell College of Law J.D. 1975
 St. Paul, Minnesota
 J.D. *cum laude*, American Jurisprudence Award in Commercial Transactions

Hamline University B.A. 1972
 St. Paul, Minnesota

ADMITTED TO PRACTICE:

State of Minnesota: 1975
 State of New York: 1987
 State of Connecticut: 1992

PROFESSIONAL EXPERIENCE:

GALEN W. WELLS, ATTORNEY AT LAW 1997-present
 Norwalk, CT

Practice with a focus on real estate law including purchase, sale and financing of real estate, leases, title searches, evictions the collection and foreclosure of unpaid condominium common charges.

WILCOX, WELLS & STEINBERGER 1992-1997
 Westport, CT

Position: Partner

Practice emphasized real estate law; represented clients in the purchase and sale of real estate, the negotiation of construction contracts and leases, title searches, refinancing transactions, and zoning matters.

FIRST NATIONWIDE BANK 1988-1992
 New York, NY

Position: Vice President and Senior Counsel

Responsible for all legal aspects of administering a complex \$240 million revolving loan secured by more than 80 properties nationwide, including extension of credit under various lines of credit, substitution of collateral and perfection of security interests in new collateral. Represented the bank in the workout of the revolving loan and on the foreclosure of loans in the bank's portfolio in New York, New Jersey, and Pennsylvania. Primary Counsel for the bank's investment lending offices in New York, New Jersey and Atlanta. Worked with the Director of Environmental Services to design an environmental compliance program for the bank; interviewed consultants, drafted master consulting contracts for Phase I, Phase II and Phase III audits; reviewed policies and procedures and participated in a program to educate bank officers. Evaluated the impact of CERCLA on the Bank as lender, investor and secured

creditor foreclosing on property. Worked with the Ford Motor Company's Washington office commenting on legislation to modify CERCLA and proposed EPA regulations.

AMERICAN STANDARD INC.
New York, NY

1984-1988

Position: Real Estate Counsel

Responsible for all real estate and environmental law aspects of major corporate divestitures. Drafted and negotiated multi-million dollar leases as both lessor and lessee and purchase and sale agreements as both buyer and seller. Worked closely with management in the development of real estate projects including the development of raw land into an industrial park, the development of a warehouse office complex and the construction and conversion of an office condominium. Worked with the Environmental Technology Department on the environmental aspects of the purchase, sale and lease of property; compliance with ECRA; due diligence inspection of properties, and evaluation of the impact of CERCLA on the corporation. Worked on individual remediation problems, including negotiation with state agencies and community relations programs.

PANASONIC INDUSTRIAL COMPANY
Secaucus, NJ

1982-1984

Position: Attorney

Drafted and negotiated a variety of contracts including one for the sale of a giant scoreboard for use in a professional football stadium; drafted OEM contracts, dealer contracts, distributor contracts and contracts for the sale of various industrial products.

CHAMPION INTERNATIONAL CORPORATION
Stamford, CT

1978-1982

Position: Assistant Counsel

Primary Counsel for the Corporation's real estate facilities group with wide experience in the leasing and purchase and sale of real estate. Negotiated and drafted financing agreements for a railroad to serve a mill in Ontonogen, Michigan and helped assemble plots for a mill in west Texas. Worked with plant management in the purchase of plant equipment including an extruder for use in flexible packaging, and a paper machine for a brown paper mill.

TONKA CORPORATION
Minneapolis, MN

1975-1978

Position: Associate Counsel

Worked closely with the general counsel on all aspects of corporate law; primary responsibility for the administration of the corporation's patent trademark program.

TEACHING EXPERIENCE

UNIVERSITY OF BRIDGEPORT
Bridgeport, CT

1992-2000

Position: Adjunct Professor

Teaching courses in Legal Research, Legal Writing, Real Estate, Business Organizations, and Title Searching

PRICING PROPOSAL

July 2, 2020

**PRICING PROPOSAL**

FieldTurf USA, Inc. is pleased to present the following proposal. Prices are based on the Capital Region Education Council (CREC) program. CREC provides pre-determined, preferential pricing through approved vendors. Since the products have already been bid at the national level, individual owners do not have to duplicate the formal bid process. Per AEPA IFB #016-Synthetic Turf

Field Name: West Rocks School

Turf System: FieldTurf Vertex Prime FTVTP 50

Square Footage: 91,800

Field Markings: Soccer

Price: \$ 443,088.00

	Description	Quantity	Units	Unit Price	Total
	Synthetic Turf				
1	FieldTurf Vertex Prime 2"	91,800	SF	\$4.3000000	\$394,740.00
2	Coolplay infill	91,800	SF	\$0.5100000	\$46,818.00
3	Inlaid Soccer Markings	2	EA	\$7,140.00	donated
4	Gmax Testing (1) Test at Install	1	EA	\$1,530.00	<u>\$1,530.00</u>
4	Subtotal Project				\$443,088.00

PRICING PROPOSAL

The FieldTurf Quality Guarantee

To achieve unmatched quality and level of performance, we have invested heavily in modernizing our plants with the latest fiber manufacturing, coating and tufting technologies along with top manufacturing talent, and specialized installation equipment. Our dedicated CAD-based design department supports customization for each client, and our experts ensure timely delivery and installation on every project.

The world leader in artificial turf innovation is ISO 9001, ISO 14001 and OHSAS 18001 certified for its leadership in quality, environment and safety management systems. FieldTurf's Calhoun facility represents the only artificial turf manufacturing operation in North America to have received these ISO certifications.

FieldTurf has taken the necessary steps to ensure that your project will run smoothly and that the quality promised will be the quality delivered.

Price Includes:

- a) Installation of the artificial in-filled grass surface upon a suitable base
- b) Infill recipe of 0.6 lbs of Coolplay / 2 lbs cryogenic rubber / 3.65 lbs of sand
- c) (2) inlaid soccer lines
- d) An 8 year 3rd party pre-paid insured warranty on the FieldTurf artificial grass surface

Price does not Include:

- a) The base upon which the FieldTurf field will be placed. FieldTurf shall not be responsible for the planarity, the stability, the porosity, nor the approval of the base upon which the FieldTurf surface will be installed, the drainage system, nor any construction or modification of existing installations around the fields.
- b) Any costs associated with necessary changes relating to delineation of the field.
- c) The supply or installation of the field edging.
- d) The supply of manholes or clean-outs or grates, or supply of the manhole covers.
- e) Any alteration or deviation from specifications involving extra costs, which alteration or deviation will be provided only upon executed change orders, and will become an extra charge over and above the offered price.
- f) Site security.
- g) Grooming equipment
- h) Small vehicle to tow FieldTurf maintenance equipment.
- i) All applicable taxes, bonding fees, prevailing wages, union labor or other labor law levies.

Please feel free to reach out to any member of our project team with questions about our offer:

Sacha De Rubeis
Project Manager
514-375-3579
Sacha.DeRubeis@fieldturf.com

Andrew Dyjak
Regional Vice President - New England
860-333-7839
Andrew.Dyjak@fieldturf.com

PRICING PROPOSAL

Thank you again for your interest in FieldTurf, we look forward to working with you.

Per


Marie-Christine Raymond, Director of Operations
FieldTurf USA, Inc. /FieldTurf, Inc.

Conditions

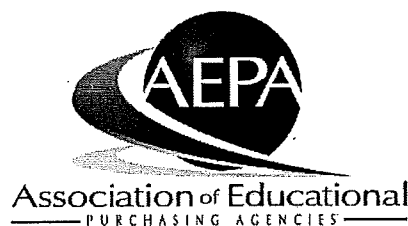
Notwithstanding any other document or agreement entered into by FieldTurf in connection with the supply and installation only of its product pursuant to the present bid proposal, the following shall apply:

- a) This bid proposal and its acceptance is subject to strikes, accidents, delays beyond our control and *force majeure*.
- b) FieldTurf's preferred payment terms are as follows: (i) 50% of the Price upon Customer's execution of contract; (ii) 40% of the Price upon shipment of materials from FieldTurf's manufacturing facility; and (iii) remaining balance upon substantial completion of FieldTurf's obligations
- c) Accounts overdue beyond 30 days of invoice date will be charged at an interest rate of 10% per annum.
- d) FieldTurf requires a minimum of 21 days after receiving a fully executed contract or purchase order and final approvals on shop drawings to manufacture, coordinate delivery and schedule arrival of installation crew. Under typical field size and scenario, FieldTurf further requires a minimum of 28 days per field to install the Product subject to weather and *force majeure*.
- e) FieldTurf requires a suitable staging area. Staging area must be square footage of field x 0.12, have a minimum access of 15 feet wide by 15 feet high, and, no more than 100 ft from the site. A 25 foot wide by 25 foot long hard or paved clean surface area located within 50 feet of the playing surface shall be provided for purposes of proper mixing of infill material. Access to any field will include suitable bridging over curbs from the staging area to permit suitable access to the field by low clearance vehicles. Staging area surface shall be suitable for passage with motor vehicles used to transport materials to the site and/or staging area. FieldTurf shall not be liable for any damages to the staging area or its surface unless such damages are caused by FieldTurf's intentional misconduct or negligence.
- f) This proposal is based on a single mobilization. If the site is not ready and additional mobilizations are necessary, additional charges will apply.
- g) Upon substantial completion of FieldTurf's obligations, the Customer shall sign FieldTurf's Certificate of Completion in the form currently in force; to accomplish this purpose, the Customer will ensure that an authorized representative is present at the walk-through to determine substantial completion and acceptance of the field, which may include a list of punchlist items.
- h) FieldTurf shall not be a party to any penalty clauses and/or liquidated damages provisions.
- i) FieldTurf shall be entitled to recover all costs and expenses, including attorney fees, associated with collection procedures in the event that FieldTurf pursues collection of payment of any past due invoice.
- j) All colors are to be chosen from FieldTurf's standard colors.

PRICING PROPOSAL

The price is valid for a period of 90 days. The price is subject to increase if affected by an increase in raw materials, freight, or other manufacturing costs, a tax increase, new taxes, levies or any new legally binding imposition affecting the transaction. The price of the base preparation is subject to increase in the event FieldTurf encounters any of the following site conditions: soil contamination; bedrock; unknown utilities; underground springs; unstable or unsuitable ground; and any concealed or unknown conditions.

Please contact Eric Fisher if you have any questions or require additional information regarding FieldTurf's SmartBuy Cooperative Purchasing Program. 888-209-0065, ext. 246 or via e-mail at eric.fisher@fieldturf.com. Be sure to visit our website at www.fieldturf.com



SOLE SOURCE PROCUREMENT REQUEST

Date - 7/1/20

Please read the Sole Source procurement Policy printed on page 2 before filling out this request. This form is to be used in conjunction with the Procurement Request Form.

Briefly describe the scope of services or equipment needed. Attach a **Procurement Request Form** and complete specifications.

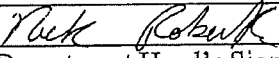
Purchase and installation of Field Turf at West Rocks Middle School Soccer Complex

This purchase qualifies as a Sole Source procurement for the following reason(s):

- ☒ The compatibility of equipment is of paramount consideration.
- ☒ The compatibility of accessories, replacement parts is of paramount consideration.
- ☐ The sole supplier's item is needed for trial use or testing.
- ☐ The sole supplier's item is to be produced for resale or donation.
- ☐ A Public utility service
- ☐ Other, please explain -

Outline any research you did in determining that this vendor is the only one able to supply this item or service. Be specific as to names and addresses of firms or people contacted. Attach supportive documentation.

All of the City's current turf fields have been purchased through, and installed, by the vendor Field Turf USA Inc. The company is the sole provider of this particular turf in the Northeast and in on the States Co-Op List which lowers the costs of procuring goods or services that multiple entities commonly need and use. Utilizing the same vendor and material also provide the additional benefit of having extra material on hand for repairs and utilizing the same equipment for maintenance throughout the system


Department Head's Signature

The Purchasing Agent

Corporation Council

☒ Supports ☐ Does not support ☐ Supports ☐ Does not support

This request for a sole source purchase

Sharon Conners

Digitally signed by Sharon Conners
Date: 2020.07.02 14:24:29 -04'00'

Signature

Signature

Cipriano, Monique

Subject:

FW: Action on 8-24 referral for Proposed Conveyance of Land

From: Wilson, Dori <DWILSON@norwalkct.org>

Sent: Wednesday, July 22, 2020 12:31 PM

To: Sotnik, Paul <PSOTNIK@norwalkct.org>

Cc: Valadares, Vanessa <VValadares@norwalkct.org>; Kleppin, Steven <skleppin@norwalkct.org>

Subject: Action on 8-24 referral for Proposed Conveyance of Land

Paul
Last night the Planning Commission recommended approval of the above referenced referral. The following resolution was adopted by the Planning Commission on July 21, 2020:

BE IT RESOLVED that the Norwalk Planning Commission in accordance with Section 8-24 of the Connecticut General Statutes, recommends that the referral from the Department of Public Works and Corporation Counsel for the Proposed Conveyance of Land shown as "Area A" and "Area B" from Norwalk Land Development, LLC to the City of Norwalk be APPROVED, subject to the following reasons:

- 1. To implement the Plan of Conservation and Development policy to make "Support development of infrastructure and amenities attractive to businesses and workers" (Chapter 3, pg. 52); and***
- 2. To implement the Plan of Conservation and Development goal to " B. Provide roads that serve the needs of Norwalk residents and commerce, and that facilitate safe and convenient access to transit, bicycle facilities, and pedestrian facilities." (Chapter 10, pg. 196); and***

BE IT FURTHER RESOLVED that notice of this action be forwarded to the Common Council.

Let us know if you need anything else.

Thanks

Dori

Dorothy S. Wilson

Senior Planner

City of Norwalk Planning & Zoning

125 East Avenue Norwalk, CT. 06851

Email: dwilson@norwalkct.org

MEMORANDUM

TO: Members of the Department of Public Committee;
Members of the Planning Commission;
Members of the Common Council
Mayor Harry W. Rilling

FROM: Darin L. Callahan, Assistant Corporation Counsel

CC: Anthony Carr, Chief of Operation and Public Works;
Steve Kleppin, Director of Planning and Zoning
Bill Ireland, Chief Building Official
Michael Yeosock, Assistant Director of TMP
Mario Coppola, Corporation Counsel

DATE : June 30, 2020

RE: **SoNo Collection – OSTA Required Conveyance to the City of Norwalk**

Attached is a letter from Deborah R. Brancato, an attorney representing Norwalk Land Development, LLC/The SoNo Collection (the "Owner"). As the Owner continues to pursue all of the final approvals and certificates for the development of the SoNo Collection (the "Project"), the Office of the State Traffic Administration has required that the Owner convey two small areas of their property to the City. This is required because during the design phase of the Project, the City requested that West Avenue and North Water Street be widened to include the two small conveyance areas depicted in the attached survey.

The pertinent supporting documentation provided are:

- A proposed deed which the law department has reviewed and finds acceptable.
- The survey depicts Conveyance Area A and Conveyance Area B located on West Avenue and North Water Street respectively (the "Conveyance Areas").

- A memorandum from Roux Associates, which is the consulting firm that is monitoring and responsible for the site remediation.

The conveyance is for no consideration so the City will acquire the Conveyance Area at no cost. The Conveyance Areas include granite curbing and pave roadway only and are constructed using Standard City materials and in full compliance with the City standards for road construction.

The Project is subject to a mortgage and the Owner is seeking a partial release of the Conveyance Areas from their lender. Any approval to accept this conveyance should be conditioned upon receipt and law department approval of the partial release.

REQUESTED ACTION:

- A. **Authorize the Mayor Harry W. Rilling to execute any and all documents necessary for the conveyance of the following land from Norwalk Land Development, LLC to the City of Norwalk at no cost subject to a release of mortgage(s) encumbering said land:**
 1. Certain piece or parcel is identified as "Conveyance Area A" having an area of 1,263±S.F. as shown on map entitled "Right of Way Survey City of Norwalk Map Showing Land Acquired from Norwalk Land Development, LLC by the City of Norwalk" dated November 2019 prepared by Langan CT, Inc;
 2. Said piece or parcel of property is identified as "Conveyance Area B" having an area of 237±S.F. as shown on map entitled "Right of Way Survey City of Norwalk Map Showing Land Acquired from Norwalk Land Development, LLC by the City of Norwalk" dated November 2019 prepared by Langan CT, Inc.
- B. **Referral of Item A to the Planning Commission for a Report and Recommended Action pursuant to Conn. Gen. Stat. § 8-24.**

A copy of the above referenced map is attached as Exhibit A to this Memorandum for your ready reference.

Exhibit A

(Carmody Torrance Sandak Hennessey Letter dated June 24, 2020)

June 24, 2020

VIA E-MAIL

Eric Bernheim, Esq.
Halloran & Sage LLP
315 Post Road
Westport, CT 06880
bernheim@halloransage.com

RE: Norwalk Land Development, LLC/The SoNo Collection
Roadway Parcel Conveyance

Dear Eric:

Pursuant to Conn. Gen. Stat. § 8-24, I am writing to request City acceptance of the conveyance of certain roadway portions of The SoNo Collection property located at 100-101 North Water Street (MBL 2-18-3) (the "Property") from the owner and redeveloper of same, Norwalk Land Development, LLC (the "Owner").

Background

Pursuant to a certain Land Disposition & Development Agreement, as amended, between Owner, the City of Norwalk ("City"), and the Norwalk Redevelopment Agency dated February 10, 2016, Owner has redeveloped the Property with a mixed-use mall project now known as The SoNo Collection (the "Project"). Part of the approval process for the Project included an application to the State of Connecticut Department of Transportation for a Certificate from the Office of the State Traffic Administration (the "OSTA Certificate"). The OSTA Certificate process involved a detailed review of traffic and infrastructure implications of the Project by State and local City officials, including Mr. Bruce J. Chimento of the Norwalk Traffic Authority, Mr. Michael M. Yeosock P.E. formerly of the Norwalk Department of Public Works (DPW), and Mr. William D. Ireland of the Norwalk Building Department. Extensive collaboration between Owner, the State, and City officials resulted in the issuance of the OSTA Certificate with about thirty (30) conditions to be satisfied by Owner; many of the included conditions were the result of direct requests or feedback from the City.

Eric Bernheim, Esq.
June 24, 2020
Page 2 of 3

To date, Owner as satisfied all but one condition of its OSTA Certificate, set forth below:

24. That prior to the issuance of an encroachment permit, sufficient property be deeded along the site frontage, for highway purposes, to the City, at no cost, to accommodate the proposed roadway widening, and a sidewalk/snowshelf.

The roadway widening referred to above is set forth in other conditions (Nos. 5 & 7) of the OSTA Certificate and relates to widening of North Water Street and West Avenue, among other areas. The widening of these two roads along the Property frontage was specifically requested by DPW during the traffic-related review of the Project. Pursuant to the OSTA Certificate, the widenings occurred during the construction and development of the Project.

Because portions of the road that were widened are owned by Owner, condition No. 24 was included in the OSTA Certificate to ensure that such areas were officially conveyed to the City such that the City would be the legal owner of the public right-of-way. Owner has been and remains supportive of the City goals to improve the public thoroughfares around the Property, and is now seeking to complete this final condition of the OSTA Certificate by conveying the roadway pieces to the City, as has always been contemplated.

Request

While the widening of the road was thoroughly vetted and reviewed by appropriate City departments and contemplated in the concept plans ultimately reviewed and approved by the City's Common Council, Owner is now seeking approval as the City deems necessary to record a deed and map, as attached hereto, to accomplish the required conveyance. The deed and map are drafted in a manner that will result in conveyance of only roadway and granite curbing, which were constructed using standard City materials and in full compliance with City of Norwalk municipal Code, Chapter 95, Section 23. The conveyance does not include any portion of any sidewalk, and, for the avoidance of doubt, Owner shall remain responsible for maintenance of the sidewalks. In addition, the conveyance is for no consideration, and will, thus, as required under the OSTA Certificate, be at no cost to the City.

Further to this request, enclosed herewith for your review and consideration are the following materials:

- A proposed Quitclaim Deed, that would convey the two roadway parcels to the City of Norwalk;
- A Right of Way Survey prepared by Langan CT, Inc., the Project engineer, depicting the two areas to be conveyed – Conveyance Area A and Conveyance Area B. Note 5 on the map confirms that the conveyance areas including only roadway and granite curbing;

Eric Bernheim, Esq.
June 24, 2020
Page 3 of 3

- A copy of the OSTA Certificate (which has been extended from its original expiration date to July 31, 2020, in recognition of the fact that Condition No. 24 remains outstanding); and
- A memorandum from Roux Associates, the consulting firm managing environmental remediation of the Property, confirming that the closest soil samples to the conveyance areas, which likely represent what may be in the conveyance areas, were below CT state remedial standards, and that areas are covered with asphalt/curbing as contemplated in the Remedial Action Plan for the Property, and which renders any potential soil issue, if any, "inaccessible" as defined in the CT State remedial standard regulations.

Please further note that Owner is currently seeking consent and a partial release from its lender regarding a mortgage currently encumbering the Property, with respect to the roadway conveyance areas. It is anticipated that Owner will obtain this consent and release as a condition precedent to recording the map and deed to complete the conveyance.

We are happy to discuss any of this further should have any questions, and look forward to the City's review of the matter.

Sincerely,



Deborah Brancato, Esq.

Enclosures

Record and Return To:
City of Norwalk
125 East Avenue
Norwalk, CT 06851
Attn: Mario Coppola, Esq.

QUITCLAIM DEED

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME GREETING:

KNOW YE, that **NORWALK LAND DEVELOPMENT, LLC**, a Delaware limited liability company having a mailing address at 350 N. Orleans Street, Suite 300, Chicago, IL 60654 (the “Grantor”), for the consideration of **ONE DOLLAR (\$1.00)** and other good and valuable consideration received to its full satisfaction of the **CITY OF NORWALK**, a municipal corporation organized and existing under the laws of the State of Connecticut having a mailing address at 125 East Avenue, Norwalk, CT 06851 (the “City”), does convey, transfer, remise, release and forever **QUITCLAIM WITH QUITCLAIM COVENANTS** unto said Grantee and its successors and assigns forever, all right, title, claim and demand whatsoever as said Grantor has or ought to have in or to those certain pieces or parcels of property more particularly described in the **SCHEDULE A** attached hereto and made a part hereof (the “Property”).

IN WITNESS WHEREOF, the Grantor has executed this Deed on the date noted below in the presence of:

_____, Witness

Norwalk Land Development LLC

_____, Witness

By: _____
Its: _____, duly authorized

STATE OF _____ }
COUNTY OF _____ }

SS.: _____

On this the _____ day of _____, 2020, before me, the undersigned officer, personally appeared, _____ known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained.

In witness whereof I have hereunto set my hand.

Notary Public/
Commissioner of the Superior Court

SCHEDULE A

Property Description

First Piece:

Commencing at a coordinate N=600,064.112, E=815,530.116 on the easterly right of way line of West Avenue, said point being on the northwesterly corner of land now or formerly of Norwalk Land Development, LLC; Thence S 05° 25' 41" W along said easterly right of way line of West Avenue a distance of 339.73' to a point; Thence S 17° 49' 28" W along said easterly right of way line of West Avenue a distance of 12.95' to the point of beginning; Thence S 17° 49' 28" W along said easterly right of way line of West Avenue a distance of 38.27' to a point; Thence S 05° 25' 41" W along said easterly right of way line of West Avenue a distance of 166.93' to a point of curvature; Thence southerly along a curve on the intersection of said easterly right of way line of West Avenue and the northerly right of way line North Water Street, curving to the left, with an arc length of 31.42', a radius of 33.00', an included angle of 54° 33' 38", and a chord length of 30.25' bearing S 21° 51' 08" E to a point of curvature; Thence northerly along a curve through land now or formerly of Norwalk Land Development, LLC, curving to the right, with an arc length of 28.75', a radius of 39.50', an included angle of 41° 42' 17", and a chord length of 28.12' bearing N 14° 13' 36" W to a point of tangency; Thence N 06° 37' 33" E through land now or formerly of Norwalk Land Development, LLC a distance of 181.55' to a point; Thence N 05° 27' 47" E through land now or formerly of Norwalk Land Development, LLC a distance of 23.20' to the point of beginning;

Containing approximately 1,263 Square Feet.

Said piece or parcel is identified as "Conveyance Area A" having an area of 1,263±S.F. as shown on a map entitled "Right of Way Survey City of Norwalk Map Showing Land Acquired from Norwalk Land Development, LLC by the City of Norwalk" dated November 2019 prepared by Langan CT, Inc., and filed with the City of Norwalk Town Clerk as Map Number: _____ (the "Map").

Second Piece:

Commencing at a coordinate N=599,476.958, E=815,661.998 on the northerly right of way line of North Water Street, said point being on the southerly boundary line of land now or formerly of Norwalk Land Development, LLC; Thence S 05° 25' 41" W along said northerly right of way line of North Water Street a distance of 1.82' to a point of curvature; Thence southerly along a curve on said northerly right of way line of North Water Street, curving to the left, with an arc length of 6.58', a radius of 8.00', an included angle of 47° 09' 26", and a chord length of 6.40' bearing S 18° 09' 02" E to the point of beginning; Thence easterly along a curve on said northerly right of way line of North Water Street, curving to the left, with an arc length of 7.28', a radius of 8.00', an included angle of 52° 06' 37", and a chord length of 7.03' bearing S 67° 47' 03" E to the point of non-tangency; Thence N 86° 10' 06" E along said northerly right of way line of North Water Street a distance of 108.32' to a point; Thence S 88° 38' 49" W through land now or formerly of Norwalk Land Development, LLC a distance of 70.85' to a point; Thence S 86° 11' 49" W through land now or formerly of Norwalk Land Development, LLC a distance of 43.86' to the point of beginning;

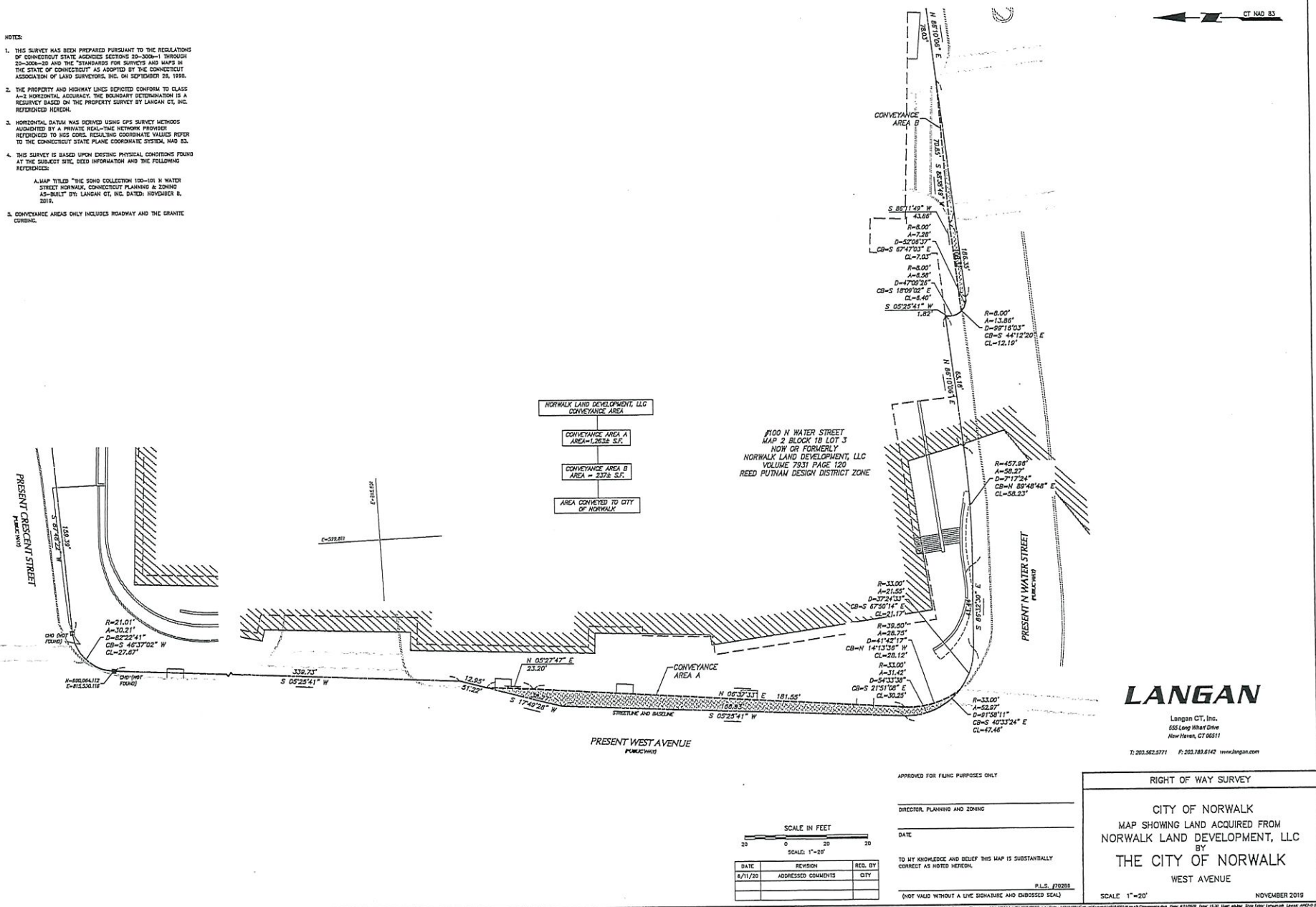
Containing approximately 237 Square Feet.

Said piece or parcel of property is identified as "Conveyance Area B" having an area of 237±S.F. as shown on the Map.

1. THIS SURVEY WAS BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTIONS 20-300B-1 THROUGH 20-300B-35 AND THE "STANDARDS FOR SURVEYS AND MAPS IN CONNECTICUT" AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. ON SEPTEMBER 26, 1995.
2. THE PROPERTY AND HIGHWAY LINES DEFINED CONFORM TO CLASS A=2 HORIZONTAL ACCURACY. THE BOUNDARY DETERMINATION IS A RESERVE BASED ON THE PROPERTY SURVEY BY LAMKAN ET. AL. REFERENCED HEREON.
3. HORIZONTAL DATUM WAS DERIVED USING GPS SURVEY METHODS AUGMENTED BY A PRIVATE REAL-TIME NETWORK PROVIDED REFERENCE TO THE GRID COORDINATES. THE VALUES REFER TO THE CONNECTICUT STATE PLANE COORDINATE SYSTEM, NAD 83.
4. THIS SURVEY IS BASED UPON INSPECTING PHYSICAL CONDITIONS FOUND AT THE SUBJECT SITE, DEED INFORMATION AND THE FOLLOWING REFERENCES:
REFERENCES:

A MAP TITLED "THE SOND COLLECTION 100-101 N WATER STREET NORMAL, CONNECTICUT PLANNING & ZONING AS-BUILT" BY: LANGAN CT, INC. DATED: NOVEMBER 8, 2019.

3. CONVEYANCE AREAS ONLY INCLUDES ROADWAY AND THE GRANITE CURBING.





STATE OF CONNECTICUT

DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546
Phone: (860) 594-3020

Record & Return to:

Mr. William J. Hennessey, Jr., Esq.
Carmody Torrance Sandak Hennessey, LLP
707 Summer Street - 3rd floor
Stamford, CT 06901-1026

CERTIFICATE NO. 1806-A

OSTA NO.: 102-1601-01
APPROVED: September 21, 2016
EXPIRES: September 21, 2019

ISSUED TO: Norwalk Land Development, LLC
119 Washington Street
Norwalk, CT 06854

FOR: The SoNo Collection (Formerly District 95/7)
North Block: Map 2 Block 18 Lot 3
City of Norwalk

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF
THE ORIGINAL DOCUMENT RECEIVED FOR RECORD
IN THE OFFICE OF THE TOWN CLERK OF THE CITY
OF NORWALK

ON October 6, 2016 AT 10:47am

[Signature]
TOWN CLERK
DATE October 6, 2016

Pursuant to Section 14-311 of the General Statutes
of Connecticut, as revised, and the Regulations
of the Office of the State Traffic Administration

The property owner(s) and such owner's/owners' heirs, successors in interest or assigns are hereby ordered to comply with the conditions and requirements as set forth in the attached report(s) and plan(s), which are incorporated herein. Failure to comply with all conditions and requirements will constitute sufficient basis for revocation of the Certificate.

OPERATION OF THE DEVELOPMENT OR ANY PORTION THEREOF SHALL NOT BE ALLOWED UNTIL SUCH TIME AS THE PROPERTY OWNER(S) AND SUCH OWNER'S/OWNERS' HEIRS, SUCCESSORS IN INTEREST OR ASSIGNS HAS/HAVE COMPLIED WITH THE ABOVE UNLESS PERMISSION HAS BEEN REQUESTED AND RECEIVED FROM THE OFFICE OF THE STATE TRAFFIC ADMINISTRATION TO OPERATE PRIOR TO COMPLETION OF THE CONDITIONS AND REQUIREMENTS.

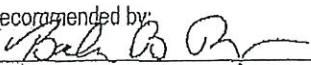
THIS CERTIFICATE WILL EXPIRE THREE (3) YEARS FROM THE APPROVAL DATE OF THE ATTACHED REPORT UNLESS ALL CONDITIONS AND REQUIREMENTS ARE COMPLIED WITH WITHIN THAT PERIOD OR PERMISSION IS REQUESTED AND OBTAINED FROM THE OFFICE OF THE STATE TRAFFIC ADMINISTRATION TO EXTEND THE EXPIRATION DATE.

Upon due notice from this office, this Certificate may be reviewed and modified or revoked in the interest of public safety.

[Signature]
for David A. Sawicki
Executive Director
Office of the State Traffic Administration

Date: 10/5/16

INSTR # 2016012175 VOL 8419 PG 214 RECD 10/06/2016 10:47:25 AM
RICHARD A. MCQUADE TOWN CLERK NORWALK CT

Report by: L. Pittman Checked by: K. Lussier Recommended by: 	Date: 09/16 Date: 09/16	STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION OFFICE OF THE STATE TRAFFIC ADMINISTRATION TRAFFIC INVESTIGATION REPORT	OSTA No.: 102-1601-01 Loc No.: Approved by OSTA
See Previous Traffic Investigation Report No: 102-0111-03, 102-0710-01, 102-1107-01			Date: 9.21.16
Requested by: John D. Plante How Requested: Certificate Application Date: August 5, 2016		City of Norwalk Location: The SoNo Collection West Avenue between the I-95 northbound on-ramp and Pine Street Extension	 Executive Director

Recommendations:

In accordance with Section 14-311 of the Connecticut General Statutes, as revised, it is recommended that the Office of the State Traffic Administration (OSTA) issue a certificate to Norwalk Land Development, LLC, for The SoNo Collection, a 1,073,727 square-foot gross floor area mixed-use development with 3,033 parking spaces, located at 100 North Water Street in the City of Norwalk stating that the operation thereof will not imperil the safety of the public based on the following conditions.

These conditions are based on and refer to the following plans prepared by Langan Engineering, Inc.:

- A. "OSTA Site Plan," Drawing No. CS100, dated March 17, 2016 and last revised September 7, 2016.
 - B. "Offsite Pavement Marking & Signage Plan," Drawing No. KO401, dated March 15, 2016 and last revised September 7, 2016.
 - C. "Onsite Bike Path Marking & Signage Plan," Drawing No. KO403, dated March 15, 2016 and last revised September 7, 2016.
1. Rescind the previously approved Traffic Investigation Report Nos. 102-0111-03 (Cert. No 1606), 102-0710-01 (Cert. No. 1806) and 102-1107-01 (Revised Cert. No 1806).
 2. That North Service Drive between North Water Street and Crescent Street be constructed in substantial conformance with the referenced plans.
 - ~~3. That South Service Drive between Pine Street Extension and North Water Street be constructed in substantial conformance with the referenced plans.~~
 4. That the site driveways on West Avenue, North Water Street, Pine Street Extension, South Service Drive, and North Service Drive be constructed in substantial conformance with the referenced plans.
 5. That West Avenue be widened and reconstructed in substantial conformance with the referenced plans.

6. That West Avenue be milled and overlayed between the intersections of Pine Street Extension/ Garner Street and I-95 northbound on-ramp/ Route 7 southbound off-ramp at the discretion of the City of Norwalk.
7. That North Water Street, Reed Street and the I-95 northbound on-ramp be widened in substantial conformance with the referenced plans.
8. That North Service Drive be one-way in the northbound direction between North Water Street and Crescent Street.
9. That Crescent Street be one-way in the northbound direction between North Service Drive and Science Road.
10. That all roadway and drainage improvements within the State highway right-of-way be subject to review by the Department of Transportation and all their requirements including those pertaining to maintenance and protection of traffic be satisfied prior to the issuance of a permit for work within the highway right-of-way.
11. That all work on roadways that are owned and maintained by the City of Norwalk be performed in conformance with the standards and specifications of the City.
12. That all conflicting pavement markings in the area of roadway work be eradicated to the satisfaction of the Department of Transportation.
13. That the existing traffic signals at the following intersections be revised or replaced to accommodate the roadway widenings noted in Condition No. 5 and/or to accommodate additional loads to the existing mast arms:
 - A. West Avenue at the Route 7 southbound off-ramp and I-95 northbound on-ramp
 - B. West Avenue at North Water Street
14. That a traffic signal be installed at the following intersections:
 - A. Fairfield Avenue at I-95 northbound off-ramp and Reed Street
 - B. West Avenue at Site driveway
 - C. North Water Street at Site driveway
 - D. Reed Street at Stuart Avenue and Cedar Street

The City of Norwalk has agreed to own and maintain the traffic signals.

15. That the following traffic control signals on West Avenue be interconnected to the City of Norwalk's ~~computerized system~~:
 - A. Pine Street Extension/ Garner Street
 - B. Reed Street/ North Water Street
 - C. Site Drive
 - D. Route 7 southbound off-ramp/ I-95 northbound on-ramp
 - E. Route 7 northbound on-ramp/ I-95 southbound on-ramp
16. That overhead sign supports and foundations with appropriate guide signs be installed on the Route 7 southbound off-ramp to West Avenue, west of the Route 7 southbound overpass. The Department of Transportation will own and maintain the signing and associated structure. Preliminary design of the

sign supports, foundations, and sign legends shall be submitted to the Department of Transportation for review and approval within six months of the approval of this report.

17. That overhead guide signs for Route 7 and I-95 be installed on northbound West Avenue between North Water Street and the I-95 northbound on-ramp in accordance with the "Manual on Uniform Traffic Control Devices," latest edition.
18. That signs and pavement markings on the site driveways be installed and maintained in substantial conformance with the referenced plans, and in accordance with the "Manual on Uniform Traffic Control Devices," latest edition.
19. That all pavement markings installed on State roads be of epoxy material, or of a material as directed by the Department of Transportation.
20. That all pavement markings installed on city roads be of epoxy material, or of a material as directed by the City of Norwalk.
21. That signs and pavement markings on West Avenue, North Water Street, Reed Street, Crescent Street, North Service Drive, and South Service Drive be installed in substantial conformance with the referenced plans, and in accordance with the "Manual on Uniform Traffic Control Devices," latest edition.
22. That the operation of the site driveway entrance gates located on the West Avenue site driveway be terminated in the open position if vehicles start to back up onto West Avenue.
23. That a four foot wide sidewalk be constructed on Reed Street between Cedar Street and West Avenue.
24. That prior to the issuance of an encroachment permit, sufficient property be deeded along the site frontage, for highway purposes, to the City, at no cost, to accommodate the proposed roadway widening, and a sidewalk/snowshelf.
25. That an encroachment permit be obtained from the Department of Transportation's District 3 Office prior to performing any work within the State highway right-of-way. The permit forms must include the applicable detailed construction plans.
26. That prior to the issuance of a certificate, a bond be posted and maintained in the amount of \$1,270,000 to cover the costs of satisfying the conditions of this report. Upon submission of the final design plans, the dollar amount of this bond may be adjusted either upward or downward during the encroachment permit review process.
27. That prior to the issuance of a certificate, a bond be posted and maintained with the City of Norwalk to cover the costs of the work required on West Avenue, Reed Street, North Water Street, Pine Street Extension, Fairfield Avenue, Stuart Avenue, Cedar Street, and Crescent Street.
28. That prior to the issuance of a certificate, a copy of this report be recorded on the municipal land records in accordance with the attached procedure. A copy of the Certificate shall be recorded on the land records upon issuance and prior to the issuance of an encroachment permit.

29. That an application for a certificate of occupancy for any portion of this development not be submitted to the City of Norwalk until all the conditions of this report have been completed or subsequent OSTA approval allows otherwise.
30. That OSTA reserves the right to require additional improvements or changes, as deemed necessary, due to the development's traffic in the future. The cost of any additional improvements or changes shall be borne by the owner of the development.

Mr. Luke Mauro, on behalf of Mr. John D. Plante, the applicant's authorized representative, concurred with the above recommendations on September 20, 2016.

Mr. Bruce J. Chimento, representative for the Local Traffic Authority for the City of Norwalk, concurred with the above recommendations on September 20, 2016.



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546

Phone: (860) 594-3020

Record and Return to:
Carmody Torrance Sandak + Hennessey LLP
707 Summer Street, 3rd Floor
Stamford CT 06901
Attn: Deborah R. Brancato

April 16, 2020

Mr. Luke Mauro, P.E., PTOE
Langan Engineering
555 Long Wharf Drive
New Haven, Ct. 06511

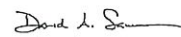
Dear Mr. Mauro:

Subject: City of Norwalk
The SoNo Collection (Formerly District 95/7)
North Block: Map 2 Block 18 Lot 3.
City of Norwalk
Certificate No. 1806-A

This is to advise you that an extension for Certificate No. 1806-A has been approved. The approval shall not become effective until this letter has been recorded on the municipal land records, in accordance with the enclosed procedure, and this office has received evidence as such (i.e., copy of the recorded letter). The extended expiration date is July 31, 2020.

If the conditions and requirements will not be met within that time, a request for an extension should be sent to this office 60 days prior to the expiration date. Also, these requests for extensions will be considered in light of current conditions and may require the submission of updated traffic data.

Sincerely,

 David A. Sawicki
2020.04.16
06:58:16-04'00'

David A. Sawicki
Executive Director
Office of the State Traffic Administration

Enclosure

Copy to: Mr. Michael M. Yeosock, P.E. - myeosock@norwalkct.org
Mr. William D. Ireland - wireland@norwalkct.org
Mr. Luke Mauro, P.E. - lmauro@langan.com - original to be mailed
Mr. Douglas Adams - douglas.adams@ggp.com



INSTR # 2020004486
VOL 8994 PG 267
RECORDED 04/27/2020 10:11:33 AM
RICHARD A. MCQUAID
TOWN CLERK NORWALK CT

An Equal Opportunity Employer
Printed on Recycled or Recovered Paper

ROUX

Date: June 4, 2020

To: Ms. Deborah Brancato, Carmody Torrance Sandak & Hennessey LLP

From: Mitchell Wiest, LEP, Roux Associates, Inc.

CC: James Adams, Brookfield Properties
Frank Cherena, Roux Environmental Engineering and Geology, D.P.C.
Jeff Wills, Roux Environmental Engineering and Geology, D.P.C.
Kelly Webb, Webb Enviro

Subject: Conveyance Areas – The SoNo Collection, 100 - 101 North Water Street, Norwalk Connecticut

Roux Associates Inc. (Roux), on behalf of Norwalk Land Development LLC, c/o Brookfield Properties, has prepared this memorandum at the request of Carmody Torrance Sandak & Hennessey LLP to describe the results of soil samples collected near two portions of the property (Conveyance Area A and Conveyance Area B) that are planned to be conveyed to the City of Norwalk. Conveyance Areas A and B as well as soil samples near the areas to be conveyed are shown in Plate 1 (attached). Please note, soil samples discussed herein were not collected directly within the Conveyance Areas and as a result were reviewed to provide a screening level evaluation of the soil conditions that likely exist within the Conveyance Areas. These samples are a combination of pre-remediation investigation soil samples and post-remediation confirmation soil samples. Endpoint and Sidewall (i.e., post remediation) soil samples were collected within the top four to seven feet below land surface (bls). Pre-remediation investigation soil samples were collected within the top two feet and at fifteen to seventeen feet bls. There were no detections above applicable Connecticut Department of Energy and Environmental Protection (CT DEEP) Remediation Standard Regulations (RSR) criteria (GB Pollutant Mobility Criteria or Industrial/Commercial Direct Exposure Criteria) at these locations at the depths sampled. Additionally, these Conveyance Areas are currently covered with a combination of asphalt and concrete sidewalk installed as part of site development in accordance with the Remedial Action Plan (RAP) prepared for the site. The asphalt and concrete sidewalk render any potential impacted soil in these Conveyance Areas, if any, inaccessible (as defined in RCSA Section 22a-133k-1-3).

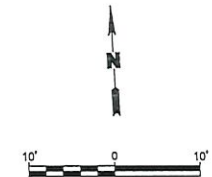
Attachments

1. Conveyance Area Plan



LEGEND

- 41-ENDPOINT_+7 ● LOCATION AND DESIGNATION OF ENDPOINT SAMPLE
- C12 (4") SIDEWALL ○ LOCATION AND DESIGNATION OF SIDEWALL SAMPLE
- RX-SB-11 ● LOCATION AND DESIGNATION OF SOIL BORING
- MW-B ○ LOCATION AND DESIGNATION OF SOIL BORING/MONITORING WELL



Title:			
SAMPLE LOCATIONS AND CONVEYANCE AREAS			
THE SONO COLLECTION 1 PUTNAM AVENUE AND 63 WEST AVENUE NORWALK, CONNECTICUT			
Prepared for:			
NORWALK LAND DEVELOPMENT			
	Compiled by: J.W.	Date: 27MAY20	PLATE 1
	Prepared by: G.M.	Scale: AS SHOWN	
	Project Mgr: J.W.	Project: 1287.0005Y000	
File: 1287.0005Y165.01.DWG			

7. Authorize the Mayor, Harry W. Rilling, to execute a right of access and entry agreement with Yankee Gas Services Company - DBA Eversource Energy - to use the property located at 102 New Canaan Ave for the flare location as part of the activation of a 12" steel gas main located on Rt. 123.
- 8a. Authorize the Mayor, Harry W. Rilling, to execute an Agreement with The Grasso Companies, LLC for Project RD2020-1 Concrete, Curbs and Sidewalks in various locations for a sum not to exceed \$2,749,668.00.

Account No. 09 20 4021 5777 C0318
09 20 4120 5777 C0649
09 20 4021 5777 C0021
09 21 4120 5777 C0649
09 21 4021 5777 C0318
09 21 4021 5777 C0021

- 8b. Authorize the Chief of Operations and Public Works to Execute Orders on the Contract with The Grasso Companies, LLC for Project RD2020-1 Concrete, Curbs and Sidewalks in various locations for a sum not to exceed \$274,966.80.

Account No. 09 20 4120 5777 C0649
09 20 4021 5777 C0318
09 20 4021 5777 C0021
09 21 4120 5777 C0649
09 21 4021 5777 C0318
09 21 4021 5777 C0021

- 9a. Authorize the Mayor, Harry W. Rilling, to execute any and all documents necessary for the conveyance of the following land from Norwalk Land Development, LLC to the City of Norwalk at no cost subject to a release of mortgage(s) encumbering said land:

1. Certain piece or parcel is identified as "Conveyance Area A" having an area of 1,263±S.F. as shown on map entitled "Right of Way Survey City of Norwalk Map Showing Land Acquired from Norwalk Land Development, LLC by the City of Norwalk" dated November 2019 prepared by Langan CT, Inc;
2. Said piece or parcel of property is identified as "Conveyance Area B" having an area of 237±S.F. as shown on map entitled "Right of Way Survey City of Norwalk Map Showing Land Acquired from Norwalk Land Development, LLC by the City of Norwalk" dated November 2019 prepared by Langan CT, Inc.

- 9b. Referral of item 9a to the Planning Commission for a Report and Recommended Action pursuant to Conn. Gen. Stat. §8-24.
10. Authorize the Mayor, Harry W. Rilling to concur with Project Authorization Letter for State Project 0102-0350 Norwalk River Valley Trail – Phase 2 and to provide a demand deposit of \$40,062 to the State of Connecticut.

Account No. 09 16 4021 5777 C0407



COMMUNITY SERVICES DEPARTMENT
 Lamond Daniels, LCSW, MPA
 Chief of Community Services
 ldniels@norwalkct.org
 P: 203-854-7718
 125 East Avenue, Room 202
 Norwalk, CT 06856-5125

August 11, 2020

1. Connectivity Initiative/ Family Navigator Program

The Connectivity Initiative is a pilot project which aims to create a more equitable learning experience for Norwalk students who are experiencing challenges because of the sudden shift to remote learning. In partnership with Norwalk Public Schools, this project will focus on ensuring students a) have access to high quality reliable internet b) have the knowledge and ability to use the internet to fully participate in virtual learning and c) connect to existing wraparound services to meet their needs.

As part of its mission to increase and sustain the social well-being and health of all Norwalk residents, the Community Services Department will oversee and manage the family navigator program connecting families to critical information, systems, and services to improve their situation. The Community Services Department will receive a total grant amount of \$250,000 for the period beginning September 1, 2020 through August 30, 2021 to support this project from the following funding sources: Ritter Foundation (\$125,000) and Per and Astrid Heidenreich Family Foundation (\$125,000). The items being requested on the agenda for authorization:

1a. Authorize the Mayor, Harry W. Rilling, to execute any and all documents necessary to accept grant funds from the Ritter Foundation and Per and Astrid Heidenreich Family Foundation in the amount of \$125,000 each for the period September 1, 2020 through August 30, 2021.

1b. Authorize the Mayor, Harry W. Rilling, to execute any and all agreements, documents, instruments or amendments as may be necessary to implement the Connectivity Initiative Family Navigator Program Grant for the period September 1, 2020 through August 30, 2021.

Program Description:

Using a supportive engagement model, the Family Navigator program will provide families with a trusted relationship to be able to provide support and resources that the family determines important to the care of their child. The navigator will provide peer support, mentoring and direct assistance for families in areas of need. The navigator will work in collaboration to build a family driven plan that focuses on solutions and keeps the family member at the center. The Navigator helps families understand distant learning and technology supports available to them and when appropriate connect them to critical resources available in the community. This can include such fundamental needs as housing, clothing, and food.

**The Per and Astrid Heidenreich
Family Foundation**

August 3, 2020

The Honorable Harry Rilling
Mayor of the City of Norwalk
125 East Avenue
Norwalk, CT 06851

RE: Norwalk Family Navigator Program

Dear Mayor Rilling:

We are pleased to confirm our participation as a funder in the Family Navigator Program with the enclosed check for \$125,000. Since 2006, The Per and Astrid Heidenreich Family Foundation has provided grant support to organizations offering services that provide educational equity to underserved communities. Recently, the foundation has actively sought opportunities to partner with like-minded funders as a means of magnifying the scale of our giving. We are therefore excited for the City and the one thousand households that stand to benefit from this digital support initiative.

Our participation in the initiative is for one year. Any consideration of funding beyond 2020-2021 must require an active effort to engage and expand the pool of funders. We understand that this need will largely be driven by the virus projections for the ensuing year, but would anticipate funder recruitment would commence not later than the spring of 2021.

We kindly request that you send us a donation acknowledgment letter for our tax records. Please do not hesitate to contact the foundation's Executive Director, Michael Chambers, at Michael.Chambers@heidenreich.net should you have any questions.

Sincerely,

Cecilie H. Jedlicka

Only organizations registered as tax exempt 501(c)(3) non-profit organizations are eligible to receive donations from The Per and Astrid Heidenreich Family Foundation. If your organization does not meet this requirement kindly return the check to the posted address.

August 5, 2020

Mayor Harry Rilling
City of Norwalk
125 East Avenue
Norwalk, CT 06851

Dear Mayor Rilling,

On behalf of the Ritter Family Foundation's Board of Directors, I am pleased to enclose a grant check in the amount of \$125,000.00 in support of the **City Navigator Program**, as part of the *Norwalk Connectivity Initiative*. It is our understanding that these funds will be used to hire five family navigators for one year, and to support the evaluation component of the project. We are thrilled and honored to be able to invest in this critical initiative, and we look forward to working in partnership with you and your team towards equitable access and improved outcomes for the children and families of Norwalk.

This investment is made subject to the following conditions:

1. Your organization is currently either:
 - a. recognized by the Internal Revenue Service as a 501(c)(3) tax-exempt entity that is not a private foundation because it is described in section 509(a)(1) or (2) of the Internal Revenue Code of 1986, as amended (the "Code"), and this grant will not result in your organization's reclassification as a private foundation, or
 - b. a domestic governmental unit or an agency or instrumentality thereof.
2. Your organization agrees to use this investment exclusively for charitable purposes within the meaning of Code sections 501(c)(3) and 170(c)(2)(B) and agrees that none of the funds may be used for any lobbying activities.
3. In the event any of the conditions of this grant are not met, your organization agrees to return or refund this grant to the Foundation. By depositing this check, you acknowledge and accept the conditions of this grant.

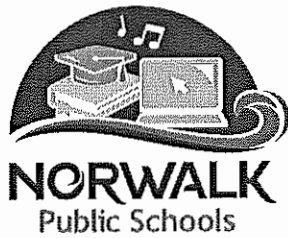
Please send formal acknowledgement of this grant, with agreement to its terms, to my attention at the address below.

While no formal reporting is required at this time, we look forward to being engaged as partners, and to evaluating the progress and impact of the program together over the next year.

Sincerely,



Kate Ritter
Executive Director



VII.D

To: City of Norwalk, Members of the Land Use
and Building Management Committee

CC: Alan Lo, Building and Facilities Manager, City of Norwalk
Dr. Brenda Myers, Chief Academic Officer, NPS
Thomas Hamilton, Chief Finance Officer, NPS

From: Janine Goss, Director of Humanities

Date: July 28, 2020

Re: Curriculum Materials & Textbooks

Norwalk Public Schools' literacy instruction is designed based on the implementation of our district's curriculum maps. It is important that quality resources are available to align with our maps to improve the delivery of curriculum. The last textbook adoption for a primary resource took place in 2014.

Schoolwide, Inc. will provide K-8 classrooms across 16 elementary and middle schools with literacy materials in English and Spanish that are aligned with our curriculum and the Common Core State Standards.

These materials will be used in all models of instruction based on our COVID risk-level and will provide continuity over time as our comprehensive literacy approach is implemented.

The purchase of these materials were reviewed with the BOE Curriculum Committee at a meeting on February 18, 2020.

ACTION REQUESTED:

- a. **Authorize the Purchasing Department to issue Purchase Order(s) to Schoolwide, Inc. for elementary and middle schools English and Spanish literacy materials for a total not to exceed \$277,549.15 (shipping costs have been waived) Acct. #09215010 5777 C0609**
- b. **Authorize a contingency allowance in the amount not to exceed \$8,000 in the event of order adjustments.**



33 Walt Whitman Road, Suite 204E
Huntington Station, New York 11746
Ph. 1.800.261.9964 F. 1.866.333.1130
www.schoolwide.com

Date: 07.28.20
For: Norwalk - Janine Goss
Prepared By: Stephanie Klempner
Price quote valid thru Summer 2020

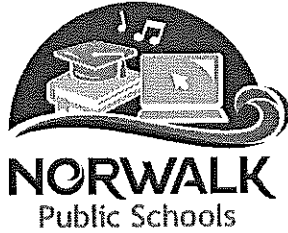
Remit To:
Schoolwide Inc
33 Walt Whitman Road, Suite 204E
Huntington Station, New York 11746

Item#	Description	Qty	Price/Set	Ext. Price	Grade
W012KPER0120	WF Personal Narrative Kit, Grade K	45	\$189	\$ 8,505.00	K
W013KHOW0120	WF How-To Writing Kit, Grade K	45	\$189	\$ 8,505.00	K
W612KPER0090	WF Personal Narrative Kit, Grade 6	14	\$189	\$ 2,646.00	6
W712KMEM0090	WF Memoir Kit, Grade 7	14	\$189	\$ 2,646.00	7
W812KMUL0090	WF Multi-Genre Memoir Kit, Grade 8	13	\$189	\$ 2,457.00	8
W512KMEM0120	WF Memoir Kit, Grade 5	44	\$189	\$ 8,316.00	5
W213KGAI0120	WF Gail Gibbons Author Study Kit, Grade 2	44	\$189	\$ 8,316.00	2
W212KFOL0120	WF Folk Tales, Fables, and Fairy Tales Kit, Grade 2	44	\$189	\$ 8,316.00	2
W113KALL0120	WF Nonfiction All-About Kit, Grade 1	44	\$189	\$ 8,316.00	1
W312KPAT0120	WF Patricia Polacco Author Study Kit, Grade 3	43	\$189	\$ 8,127.00	3
W412KCYN0120	WF Cynthia Rylant Author Study Kit, Grade 4	41	\$189	\$ 7,749.00	4
R012KFIC0080	RF Fiction Grade K Kit	45	\$ 189.00	\$ 8,505.00	K
R013KNON0080	RF Nonfiction Grade K Kit	45	\$ 189.00	\$ 8,505.00	K
R014KPOE0080	RF Poetry Grade K Kit	45	\$ 189.00	\$ 8,505.00	K
R112KFIC0080	RF Fiction Grade 1 Kit	44	\$ 189.00	\$ 8,316.00	1
R113KNON0080	RF Nonfiction Grade 1 Kit	44	\$ 189.00	\$ 8,316.00	1
R114KPOE0080	RF Poetry Grade 1 Kit	44	\$ 189.00	\$ 8,316.00	1
R212KFIC0080	RF Fiction Kit, Grade 2	44	\$ 189.00	\$ 8,316.00	2
R213KNON0080	RF Nonfiction Kit, Grade 2	44	\$ 189.00	\$ 8,316.00	2
R214KPOE0080	RF Poetry Kit, Grade 2	44	\$ 189.00	\$ 8,316.00	2
R312KFIC0080	RF Fiction Kit, Grade 3	43	\$ 189.00	\$ 8,127.00	3
R314KPOE0080	RF Poetry Kit, Grade 3	43	\$ 189.00	\$ 8,127.00	3
R316KCOM0080	RF SS Communities Past and Present Kit, Grade 3	43	\$ 219.00	\$ 9,417.00	3
R412KFIC0080	RF Fiction Kit, Grade 4	41	\$ 189.00	\$ 7,749.00	4
R414KPOE0080	RF Poetry Kit, Grade 4	41	\$ 189.00	\$ 7,749.00	4
R416KCOM0080	RF SS Communities Adapt to Their Environment Kit, Grade 4	41	\$ 219.00	\$ 8,979.00	4
R511KLAU0080	RF Launching Kit, Grade 5	3	\$ 189.00	\$ 567.00	5
R513KNON0080	RF Nonfiction Kit, Grade 5	3	\$ 189.00	\$ 567.00	5
R512KFIC0080	RF Fiction Kit, Grade 5	44	\$ 189.00	\$ 8,316.00	5
R514KPOE0080	RF Poetry Kit, Grade 5	44	\$ 189.00	\$ 8,316.00	5
R516KAME0080	RF SS The American Revolution Kit, Grade 5	44	\$ 219.00	\$ 9,636.00	5
R612KFIC0080	RF Fiction Kit, Grade 6	14	\$ 189.00	\$ 2,646.00	6
R614KPOE0080	RF Poetry Kit, Grade 6	14	\$ 189.00	\$ 2,646.00	6
R616KCUL0080	RF SS Culture Shapes Perspective Kit, Grade 6	14	\$ 219.00	\$ 3,066.00	6
R611KLAU0080	RF Launching Kit, Grade 6	1	\$ 189.00	\$ 189.00	6
R613KNON0080	RF Nonfiction Kit, Grade 6	1	\$ 189.00	\$ 189.00	6
R711KLAU0080	RF Launching Kit, Grade 7	1	\$ 189.00	\$ 189.00	7

R712KFIC0080	RF Fiction Kit, Grade 7	1	\$ 189.00	\$ 189.00	7
R713KNON0060	RF Nonfiction Kit, Grade 7	1	\$ 189.00	\$ 189.00	7
R716KUSI0070	RF SS U.S. Immigration Kit, Grade 7	14	\$ 219.00	\$ 3,066.00	7
R816KWOM0070	RF SS The Women's Suffrage Movement Kit, Grade 8	13	\$ 219.00	\$ 2,847.00	8
R012BFIC0060	RF Fiction Mentor Texts, Grade K	12	66.94	\$803.28	K
R011BLAU0060	RF Launching Mentor Texts, Grade K	12	70.88	\$850.56	K
R013BNON0060	RF Nonfiction Mentor Texts, Grade K	12	83.15	\$997.80	K
R014BPOE0060	RF Poetry Mentor Texts, Grade K	12	99.9	\$1,198.80	K
R016BMYP0060	RF SS My Place in the World Mentor Texts, Grade K	12	44.86	\$538.32	K
R112BFIC0060	RF Fiction Mentor Texts, Grade 1	12	72.94	\$875.28	1
R111BLAU0060	RF Launching Mentor Texts, Grade 1	12	76.9	\$922.80	1
R113BNON0060	RF Nonfiction Mentor Texts, Grade 1	12	47.96	\$575.52	1
R114BPOE0060	RF Poetry Mentor Texts, Grade 1	12	71.86	\$862.32	1
R116BCOM0060	RF SS Communities, Families, and Traditions Mentor Texts, Grade 1	12	74.82	\$897.84	1
R212BFIC0060	RF Fiction Mentor Texts, Grade 2	12	79.94	\$959.28	2
R211BLAU0060	RF Launching Mentor Texts, Grade 2	12	82.93	\$995.16	2
R213BNON0060	RF Nonfiction Mentor Texts, Grade 2	12	74.9	\$898.80	2
R214BPOE0060	RF Poetry Mentor Texts, Grade 2	12	84.89	\$1,018.68	2
R216BCHA0060	RF SS Characteristics of Good Citizenship Mentor Texts, Grade 2	12	57.82	\$693.84	2
R312BFIC0060	RF Fiction Mentor Texts, Grade 3	12	58.94	\$707.28	3
R311BLAU0060	RF Launching Mentor Texts, Grade 3	12	66.9	\$802.80	3
R313BNON0060	RF Nonfiction Mentor Texts, Grade 3	12	75.4	\$904.80	3
R314BPOE0060	RF Poetry Mentor Texts, Grade 3	12	104.86	\$1,258.32	3
R316BCOM0060	RF SS Communities Past and Present Mentor Texts, Grade 3	12	67.86	\$814.32	3
R412BFIC0060	RF Fiction Mentor Texts, Grade 4	12	59.94	\$719.28	4
R411BLAU0060	RF Launching Mentor Texts, Grade 4	12	91.94	\$1,103.28	4
R413BNON0060	RF Nonfiction Mentor Texts, Grade 4	12	64.81	\$777.72	4
R414BPOE0060	RF Poetry Mentor Texts, Grade 4	12	96.86	\$1,162.32	4
R416BCOM0060	RF SS Communities Adapt to Their Environment Mentor Texts, Grade 4	12	63.86	\$766.32	4
R512BFIC0060	RF Fiction Mentor Texts, Grade 5	12	92.88	\$1,114.56	5
R511BLAU0060	RF Launching Mentor Texts, Grade 5	12	55.94	\$671.28	5
R513BNON0060	RF Nonfiction Mentor Texts, Grade 5	12	51.87	\$622.44	5
R514BPOE0060	RF Poetry Mentor Texts, Grade 5	12	75.87	\$910.44	5
R516BAME0060	RF SS The American Revolution Mentor Texts, Grade 5	12	76.82	\$921.84	5
R612BFIC0060	RF Fiction Mentor Texts, Grade 6	5	57.9	\$289.50	6
R611BLAU0060	RF Launching Mentor Texts, Grade 6	5	80.9	\$404.50	6
R613BNON0060	RF Nonfiction Mentor Texts, Grade 6	5	70.86	\$354.30	6
R614BPOE0060	RF Poetry Mentor Texts, Grade 6	5	81.86	\$409.30	6

R616BCUL0060	RF SS Culture Shapes Perspective Mentor Texts, Grade 6	5	70.78	\$353.90	6
R712BFIC0060	RF Fiction Mentor Texts, Grade 7	5	67.91	\$339.55	7
R711BLAU0060	RF Launching Mentor Texts, Grade 7	5	69.86	\$349.30	7
R713BNON0040	RF Nonfiction Mentor Texts, Grade 7	5	71.92	\$359.60	7
R716BUSI0050	RF SS U.S. Immigration Mentor Texts, Grade 7	5	87.9	\$439.50	7
R812BFIC0050	RF Fiction Mentor Texts, Grade 8	5	53.95	\$269.75	8
R811BLAU0060	RF Launching Mentor Texts, Grade 8	5	95.86	\$479.30	8
R813BNON0050	RF Nonfiction Mentor Texts, Grade 8	5	56.13	\$280.65	8
R816BWOM0050	RF SS The Women's Suffrage Movement Mentor Texts, Grade 8	5	60.89	\$304.45	8
W011BHW0050	WF How Writers Work Mentor Texts, Grade K	12	49.87	\$598.44	K
W013BHOW0100	WF How-To Writing Mentor Texts, Grade K	12	101.9	\$1,222.80	K
W013BLIS0100	WF List and Label Mentor Texts, Grade K	12	101.91	\$1,222.92	K
W015BFUN0100	WF Functional Writing Mentor Texts, Grade K	12	132.91	\$1,594.92	K
W012BPER0100	WF Personal Narrative Mentor Texts, Grade K	12	115.85	\$1,390.20	K
W111BHW0050	WF How Writers Work Mentor Texts, Grade 1	12	47.96	\$575.52	1
W112BPER0100	WF Personal Narrative Mentor Texts, Grade 1	12	\$ 100.86	\$1,210.32	1
W113BALL0100	WF Nonfiction All-About Mentor Texts, Grade 1	12	85.09	\$1,021.08	1
W115BFIC0100	WF Fiction with Book Review Mentor Texts, Grade 1	12	103.9	\$1,246.80	1
W211BHW0050	WF How Writers Work Mentor Texts, Grade 2	12	56.95	\$683.40	2
W212BFOL0100	WF Folk Tales, Fables, and Fairy Tales Mentor Texts, Grade 2	12	79.9	\$958.80	2
W212BPER0100	WF Personal Narrative Mentor Texts, Grade 2	12	113.86	\$1,366.32	2
W213BGAI0100	WF Gail Gibbons Author Study Mentor Texts, Grade 2	12	79.91	\$958.92	2
W311BHW0050	WF How Writers Work Mentor Texts, Grade 3	12	58.95	\$707.40	3
W312BPAT0100	WF Patricia Polacco Author Study Mentor Texts, Grade 3	12	122.9	\$1,474.80	3
W313BNON0100	WF Nonfiction Mentor Texts, Grade 3	12	82.82	\$993.84	3
W315BBIO0100	WF Biography Mentor Texts, Grade 3	12	131.89	\$1,582.68	3
W411BHW0050	WF How Writers Work Mentor Texts, Grade 4	12	61.9	\$742.80	4
W412BCYN0100	WF Cynthia Rylant Author Study Mentor Texts, Grade 4	12	86.87	\$1,042.44	4
W413BNON0100	WF Nonfiction Mentor Texts, Grade 4	12	120.86	\$1,450.32	4
W415BFEA0100	WF Feature Article with Editorial Mentor Texts, Grade 4	12	86.78	\$1,041.36	4
W511BHW0050	WF How Writers Work Mentor Texts, Grade 5	12	64.95	\$779.40	5
W512BMEM0100	WF Memoir Mentor Texts, Grade 5	12	91.86	\$1,102.32	5
W513BBIO0100	WF Biography Mentor Texts, Grade 5	12	114.86	\$1,378.32	5
W515BESS0100	WF Essay Mentor Texts, Grade 5	12	89.82	\$1,077.84	5

W611BHW0050	WF How Writers Work Mentor Texts, Grade 6	5	75.94	\$379.70	6
W612BPER0070	WF Personal Narrative Mentor Texts, Grade 6	5	78.86	\$394.30	6
W613BFEA0070	WF Feature Article Mentor Texts, Grade 6	5	92.93	\$464.65	6
W615BARG0070	WF Argumentative Essay Mentor Texts, Grade 6	5	77.95	\$389.75	6
W711BHW0050	WF How Writers Work Mentor Texts, Grade 7	5	74.96	\$374.80	7
W712BMEM0070	WF Memoir Mentor Texts, Grade 7	5	88.89	\$444.45	7
W713BPHO0070	WF Photo Essay Mentor Texts, Grade 7	5	135.76	\$678.80	7
W715BBOO0070	WF Book Reviews Mentor Texts, Grade 7	5	78.9	\$394.50	7
W811BHW0050	WF How Writers Work Mentor Texts, Grade 8	5	70.83	\$354.15	8
W812BMUL0070	WF Multi-Genre Memoir Mentor Texts, Grade 8	5	67.93	\$339.65	8
W813BRES0070	WF Research Report Mentor Texts, Grade 8	5	115.86	\$579.30	8
W815BARG0070	WF Argumentative Essay(Content Areas) Mentor Texts, Grade 8	5	103.81	\$519.05	8
W411KHWW0070	WF How Writers Work Kit, Grade 4	1	\$169	\$ 169.00	4
W413KNON0120	WF Nonfiction Kit, Grade 4	1	\$189	\$ 189.00	4
W415KFEA0120	WF Feature Article with Editorial Kit, Grade 4	1	\$219	\$ 219.00	4
W511KHWW0070	WF How Writers Work Kit, Grade 5	1	\$169	\$ 169.00	5
W513KBIO0120	WF Biography Kit, Grade 5	1	\$189	\$ 189.00	5
W515KESS0120	WF Essay Kit, Grade 5	1	\$189	\$ 189.00	5
W613KFEA0090	WF Feature Article Kit, Grade 6	1	\$189	\$ 189.00	6
W615KARG0090	WF Argumentative Essay Kit, Grade 6	1	\$189	\$ 189.00	6
W711KHWW0070	WF How Writers Work Kit, Grade 7	1	\$169	\$ 169.00	7
W715KBOO0090	WF Book Reviews Kit, Grade 7	1	\$189	\$ 189.00	7
W713KPHO0090	WF Photo Essay Kit, Grade 7	1	\$189	\$ 189.00	7
W811KHWW0070	WF How Writers Work Kit, Grade 8	1	\$169	\$ 169.00	8
W815KARG0090	WF Argumentative Essay(Content Areas) Kit, Grade 8	1	\$189	\$ 189.00	8
W813KRES0090	WF Research Report Kit, Grade 8	1	\$189	\$ 189.00	8
BNM001	New canvas book bins	136	\$0	\$ -	
	Subtotal			\$ 308,387.94	
	Special Discount (10% off)			\$ (30,838.79)	
	Shipping (5%)			Waived	
	Grand Total			\$ 277,549.15	



2

William Hodel
Director of Facilities & Maintenance
hodelw@norwalkps.org
P: 203-854-4053 / F: 203-854-4005
125 East Avenue, PO BOX 6001
Norwalk, CT 06852-6001

TO: LAND USE & BUILDING MANAGEMENT COMMITTEE

FROM: WILLIAM HODEL, DIRECTOR OF FACILITIES & MAINTENANCE

RE: **BOE - SILVERMINE ELEMENTARY SCHOOL AIR CONDITIONING AND ELECTRICAL UPGRADES**

DATE: JULY 29, 2020

Many of the Norwalk Public Schools are not equipped with Air Conditioning which forces the schools to close in the late spring, summer and early fall when temperatures are too warm for the students and staff. As part of an ongoing initiative to get air conditioning in all classrooms in the district, the Board of Education hired Salamone & Associates to design a window air condition system and split system air conditioning system to air condition all classrooms, the cafeteria and library at the Silvermine Elementary School. A bid was publically advertised by the City Purchasing Department contractors to bid on the air conditioning work at the Silvermine Elementary School. Four bids for the project were received and after review of the bids the Norwalk Public Schools recommends AM Electric Company, LLC as they were the lowest qualified bidder for the project. Below is a table indicating all of the bids received.

Firm	Price
AM Electric Company LLC	\$345,000
VASE Management, LLC.	\$385,000
SAV-MOR Cooling & Heating, Inc.	\$395,000
Stewart Mechanical Services, Inc.	\$559,100

1. Review bids for the Silvermine School Portable Air Conditioning and Electrical Upgrades project and refer the following to the Common Council for action:
 - a. **Authorize the Mayor, Harry W. Rilling, to execute an Agreement with AM Electric Company LLC. for the Silvermine Elementary School Air Conditioning and Electrical Upgrades Project for a total not exceed \$345,000. Funds are available in Acct. #09205010 5777 C0652.**
 - b. **Authorize the NPS Facilities Department to issue Change Orders on this contract for a total of \$34,500. Funds are available in Acct. #09205010 5777 C0652.**

TO: MEMBERS OF LAND USE & BUILDING MANAGEMENT COMMITTEE

FROM: ALAN LO, BUILDING & FACILITIES MANAGER 

DATE: JULY 29, 2020

RE: BEN FRANKLIN CENTER – PHASE 2 ROOFING REPLACEMENT PROJECT

On July 2, 2020 the City's Purchasing Department solicited bids for the Roof Replacement project (Phase Two) for the Ben Franklin Center. The building was constructed in 1930 with two (2) later additions and extensively renovated in 1988. The roofs have reached their life expectancy. Phase 1 roofing project was completed in August 2019 (main roof and entrance over gym) and Phase 2 is scheduled for the fall of 2020 (gymnasium and lower classroom roofs).

The City received eight (8) bids. The results are as follows:

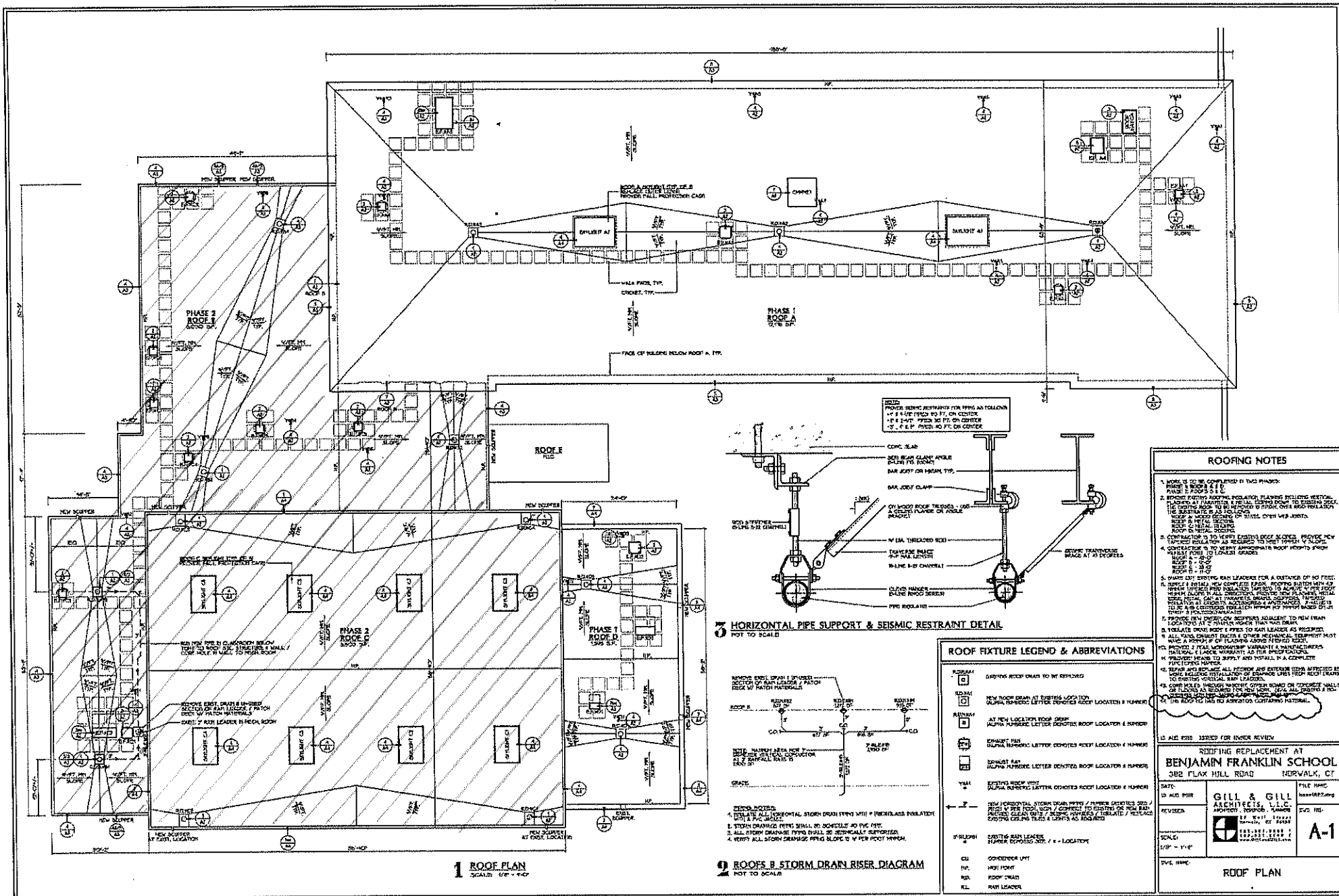
FIRM	Phase Two Bid
Premier Building Associates, LLC	\$249,000.00
Young Developers	\$295,000.00
Barrett Inc.	\$298,000.00
Gold Seal Roofing & Sheet Metal, Inc.	\$298,000.00
Greenwood Industries, Inc.	\$306,000.00
Silktown Roofing, Inc.	\$312,000.00
J. Antonelli Roofing	\$359,558.00
Armor-Tite Construction Corp.	\$375,000.00

Subsequent to bid opening, the Purchasing Department and the Office of Building Management conducted a project scope review with the apparent low bidder, Premier Building Associates, Inc. and is hereby recommending the award.

ACTION REQUESTED:

a. Authorize the Mayor, Harry W. Rilling, to execute an agreement with Premier Building Associates, LLC for the Ben Franklin Center Roof Replacement project (Phase 2) for a total not to exceed \$249,000.00. Funds are available from account #0920/21 7100 5777 C0295

b. Authorize the Office of Building Management to issue change orders on the contract for a total not to exceed \$24,900.00.



Phase-2



Chapter 36 – Enterprise ~~Zone~~Zones

§ 36-1 Applicability.

The provisions of this chapter shall apply to such areas within the City of Norwalk ~~which~~as the Common Council shall from time to time designate by resolution as Enterprise Zones in accordance with the provisions of Connecticut General Statutes § 32-71, as amended. ~~Norwalk's Enterprise Zone consists of the following Census Tracts: [List ID the tracts].~~ A map of ~~these~~the Enterprise Zones ~~as so designated can~~shall be available obtained from the Department of Economic and Community Development ~~or its duly appointed successor (DECD).~~

§ 36-2 Benefits; ~~eligibility~~Eligibility.

A. The DECD is designated as the administrator of Enterprise Zones in the City of Norwalk.

B. All real property in ~~the~~an Enterprise Zone which is improved during the period when such area is designated as an Enterprise Zone shall have its real estate assessment fixed in accordance with Connecticut General Statutes § 32-71, as amended. Such fixed assessment shall be for a period of seven years from the time of such improvement and shall defer any increase in assessment attributable to such improvement, according to the following schedule:

Year	Percentage of Increase Deferred
First	100
Second	100
Third	50
Fourth	40
Fifth	30
Sixth	20
Seventh	10

~~BC.~~ Notwithstanding the provisions of this subsection, a ~~municipality~~the City may negotiate the fixing of assessments on the portion of improvements, by a taxpayer, which exceed a value of eighty million dollars to real property which is to be used for commercial or retail purposes. Notwithstanding the provisions of chapter 203 of the Connecticut General Statutes, no such improvements shall be subject to property taxation while such improvements are being constructed.

~~C.~~ The Department of Economic and Community Development, in coordination with other agencies, is designated as the administrator of the Enterprise Zone in the City of Norwalk.

~~D.~~ Any owner of property within a designated Enterprise Zone who seeks to take advantage of the additional deferments available under this chapter shall submit his or her application to Norwalk's Department of Economic and Community Development. The application, together with the requisite determination certificate, must be submitted by the property owner to the Tax Assessor's office within 30 days of the establishment of the October 1 grand list, to be eligible for Enterprise Zone benefits during the D-tax year.

~~E.~~ The Economic and Community Development Department shall prepare a report no more than every 36 months/3 years detailing the number of projects which occurred in the Enterprise Zone, the type of

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project (manufacturing, residential, retail or commercial), the number of square feet impacted, the amount of new investment generated and the gross and net impact on the grand list and tax collections. The report shall also serve as a means to monitor any changes in occupancy, use or ownership in facilities and firms which have been granted benefits. The report shall be submitted to the Mayor and the Planning Committee.

~~FD.~~ The Common Council shall have the power to grant additional deferments, by resolution, to grant additional deferments of up to 100% of assessment attributable to such improvements for a period of up to seven years from the date of the improvement referred to in Subsection ~~AB~~ above.

(1) Any owner of property within a designated Enterprise Zone who seeks to take advantage of the additional deferments available under this subsection shall submit his ~~or~~ her application to the ~~Norwalk's Economic and Community Development Department~~ DECD on forms to be supplied by said department.

(1) ~~The Economic and Community Development Department, in coordination with other agencies, DECD~~ shall review the application and determine if such additional deferment is necessary in order to promote the further development of industrial, commercial or residential property upon the real estate of the applicant.

(2) ~~The Economic and Community Development Department, in coordination with other agencies,~~ (2) The DECD shall make a recommendation to the Common Council on the applicant's request and shall specify its reasons for recommending approval or denial of the application.

(3) Upon receipt of the recommendation of the ~~Economic and Community Development Department and the other coordinating agencies, DECD,~~ the Common Council may approve or reject the application in question by a majority vote. Said additional deferment of assessment shall become effective upon its approval by the Common Council.

(4) The approved application must be submitted by the property owner to the Tax Assessor's office no later than 30 days prior to the establishment of the October 1 grand list, to be eligible for Enterprise Zone benefits for that tax year

~~CE.~~ Any fixed assessment on any residential property shall cease if: (1) for any residential rental property, any dwelling unit in such property is rented to any person whose income exceeds 200% of the median income, as determined by the United States Department of Housing and Urban Development, for the area in which the ~~municipality containing the~~ residential real property is located; or, (2) for any conversion condominium declared after the designation of the Enterprise Zone, any unit is sold to any person whose income exceeds 200% of the median income, as determined by the United States Department of Housing and Urban Development, for the area in which the ~~municipality containing the~~ residential real property is located.

~~DE.~~ In the event of a general revaluation by the City of Norwalk in the year in which such improvement is completed, resulting in any increase in the assessment on such property, only that portion of the increase

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resulting from such improvement shall be deferred. In the event of a general revaluation in any year after the year in which such improvement is completed, such deferred assessment shall be increased or decreased, in proportion to the increase or decrease in the total assessment on such property as a result of such revaluation.

EG. No improvements of any real property ~~which~~that qualifies as a manufacturing facility under Section 32-9p(d) of the Connecticut General Statutes shall be eligible for the benefits under this chapter.

FH. In the case of any real property ~~which~~that qualifies for the deferred assessment granted under the provisions of Chapter 78 of the Code of the City of Norwalk (Phased Increased Assessment), for each year of the deferment, said property shall qualify for the deferment under Subsection AB of this section or the deferment under § 78-4, whichever is greater, for the year in question.

§ 36-3 Sunset Provision Reports.

~~Version # 1: This chapter shall be evaluated by the Economic and Community Development Department within 10 years from the effective date. Within 10 years and 6 months of the effective date, the Economic and Community Development Department and other coordinating agencies, The DECD, shall prepare and deliver to the Mayor and the Common Council a report upon request, and no less frequently than every three years, detailing the number of projects which occurred in the Enterprise Zone that have received benefits under this chapter, the type of project (manufacturing, residential, retail or commercial), the number of square feet impacted developed, the amount of new investment generated and, the gross and net impact on the grand list and tax collections in the past 10 years. This, and such other information as it shall deem appropriate or as requested by the Mayor or Common Council. The report shall also serve as a recommendation of the Economic and Community Development Department and other coordinating agencies, on whether or not the Enterprise Zones should be extended. The report shall be submitted to the Mayor and the Planning Committee, means to monitor any changes in occupancy, use or ownership in facilities and firms that have received benefits under this chapter.~~

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§ 36-4 Sunset Provision.

~~This chapter shall expire 11 years from the effective date of this ordinance and be repealed on July 1, 2030, unless extended by the Common Council, or removed from code on or before the expiration date.~~

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~~Version # 2: This chapter shall remain in effect for ten years from the date of its enactment and as of that date is repealed unless extended by the Common Council.~~

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§ 36-5 When effective.

This chapter shall be effective 10 days following approval by Connecticut's Department of Economic and Community Development and shall only be applicable to projects completed after such date and that otherwise comply with the terms of this chapter.

Norwalk Special Investment Geographies

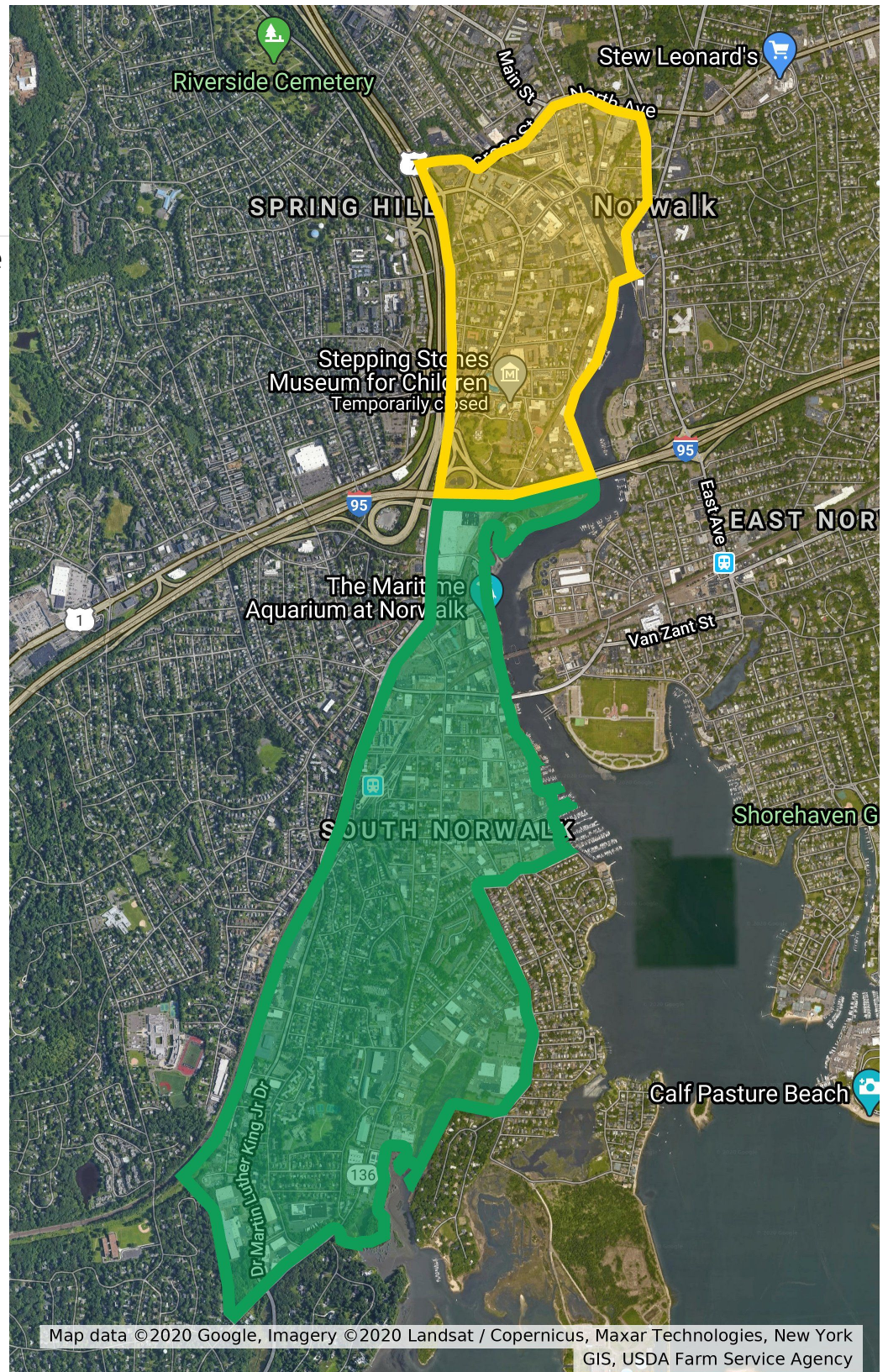
Enterprise Zone Boundary

 Enterprise Zone Boundary



Proposed Enterprise Zone
Expansion

To locate properties within the
Enterprise Zone, Opportunity
Zone, and Choice
Neighborhood in Norwalk, CT.



Norwalk Fire Department
Office of Emergency Management

Memo

To: Health, Safety and Welfare Committee Members
Common Council Committee Members
From: Michele DeLuca
cc: Gino Gatto, Fire Chief
Date: 7/22/2020
Re: American Red Cross MOU and Shelter Facility Agreement- Background information

Resolution: *Authorize the Mayor, Harry W. Rilling to sign a Memorandum of Understanding with the American Red Cross regarding their Disaster Services Programs in Norwalk and the facility use agreement to provide shelter operations at Brien McMahon HS and Norwalk HS in the event of an emergency.*

Throughout the year, the City of Norwalk works with the American Red Cross (ARC) to assist residents following local events, such as residential fires. During larger scale emergencies, the ARC has committed to providing the shelter management services in partnership with the City, should an emergency shelter be required.

Periodically, the local American Red Cross chapter requests that the communities within their service area update the Memorandum of Understanding and shelter facility agreement to ensure contact information is current and to reflect any changes since the past agreements were signed. This was last done in 2015.

Both documents are agreements, the City isn't paying the ARC to provide these preparedness, response or recovery activities.

- The Memorandum of Understanding outlines all the Disaster preparedness, response and recovery programs that the American Red Cross could provide.
- The Shelter Facility Agreement outlines the specific roles and responsibilities the ARC will provide in the event a shelter is required at Brien McMahon or Norwalk High School. While the City will be involved in shelter operations, since these are our facilities and residents, their role in shelter management will be important to a large response.

If there are any questions, please contact me.