

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

Mr. Igneri called the meeting to order at 7:37 p.m. and led the Assembly in reciting the Pledge of Allegiance.

Ms. King, City Clerk read the notice stating that the meeting was being videotaped and audio recorded for the public broadcast and that assisted listening devices were available.

I. ROLL CALL

Ms. King called the Roll. The following Common Council members were present:

Council at Large:	Mr. Richard Bonenfant Mr. Nicholas Sacchinelli Mr. Douglas Hempstead	Mr. Michael Corsello
District A:	Ms. Eloisa Melendez	Mr. Steve Serasis
District B:		
District C:	Mr. John Kydes	Ms. Michelle Maggio (7:43 p.m.)
District D:	Ms. Shannon O'Toole Giandurco	Mr. Michael DePalma
District E:	Mr. John Igneri	Mr. Thomas Livingston

At Roll Call, there were eleven (11) Common Council members present and four (4) absent (Ms. Bowman; Mr. Kimmel; Ms. Maggio and Mr. Simms).

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

II. ACCEPTANCE OF MINUTES

May 23, 2017

**** MR. LIVINGSTON 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. Scott Gilbert, Wilson Avenue, said he is the business owner on site and will file his application.

Mr. Colin Hosten, Village Creek Homeowners Association said he was self-conscious to be present this evening, because of the letter he received from the applicant's lawyer instructing him to refrain from addressing the Common Council this evening.

Ms. Maggio joined the meeting at 7:43 p.m.

Ms. Teresa Peterson, Dock Road said she was here this evening to request that the contract for Grasso Construction be denied. She said there have been more noise violations and the Police have been out. She asked that the City award contracts to companies that follow all the laws and asked that the contract be denied.

Ms. Diane Lauricella, Blue Mountain Ridge Road read the following letter received by her client, Village Creek Homeowners Association and asked that it be entered into the record.

6/13/2017

Gmail - Notice to Cease and Desist to Village Creek Homeowners Association Re: Grasso



Colin Hosten <chosten@gmail.com>

Notice to Cease and Desist to Village Creek Homeowners Association Re: Grasso

Conrad, Luke R. <lconrad@hinckleyallen.com>

Tue, Jun 13, 2017 at 12:36 PM

To: "gsuescum@yahoo.com" <gsuescum@yahoo.com>, "dlauricella24@gmail.com" <dlauricella24@gmail.com>, "villagecreekmama@gmail.com" <villagecreekmama@gmail.com>, "chosten@gmail.com" <chosten@gmail.com>, "dave@lindsaynewmedia.com" <dave@lindsaynewmedia.com>, "DianePearson@earthlink.net" <DianePearson@earthlink.net>, "erniegrevers@gmail.com" <erniegrevers@gmail.com>
Cc: "Conrad, Luke R." <lconrad@hinckleyallen.com>

Dear Village Creek Homeowners Association ("VCHOA"):

As you may be aware, this firm represents Grasso Companies, LLC ("Grasso"). If you are represented by counsel, please provide this correspondence to counsel.

Joe Grasso Jr. and Grasso have made significant efforts to fortify the relationship with neighbors and the community, including drafting letters to residents with his contact information for residents to voice any issues with Mr. Grasso personally, and further by reaching out to some of you individually.

It has come to our attention that the VCHOA -- led and instigated by outside interests that are not even homeowners or association members -- is utilizing the resources and organization of the VCHOA to take action that may constitute tortious or intentional interference with Grasso's business relationships and contracts by making false and unsupported statements to the mayor and common council. First, with respect to Grasso's private contracts, clients have referenced the complaints from the community that are spearheaded by your organization to leverage lower prices. Moreover, with respect to public work, VCHOA is fabricating a smear campaign to put political pressure on Norwalk's common council to deny Grasso public contracts. You are intentionally organizing members to voice concerns with Grasso notwithstanding the fact that the members have suffered no harm or damages and lack any personal knowledge of the veracity or truth of what they are representing. We believe this is actionable.

I quote your most recent mailer:

"There is still time to let voices be heard with phone calls, emails, letters and attendance at the Common Council meeting this Tuesday, 7:30 pm during the public participation portion of the meeting."

I will remind you that in Connecticut, a tortious interference with business relations claim simply requires the existence of a business relationship, an intentional and improper interference with that relationship and a resulting loss of benefits of the relationship.

Consider this email correspondence formal notice to immediately cease and desist with further improper efforts to undermine Grasso's business. If you have further issues or complaints you can contact Joe Grasso, Jr. personally, as he has offered; however, we will not tolerate false and misleading testimony from your association and we are prepared to take steps to protect Grasso's legal interest.

Be guided accordingly.

<https://mail.google.com/mail/u/0/?ui=2&ik=62976ca887&view=pt&msg=15ca250d761b815e&search=inbox&siml=15ca250d761b815e>

1/2

Ms. Lauricella said that the letter speaks to the City's ability to vet a responsible bidder. She said that if the Common Council approves the contract this evening, there should be an immediate investigation. She added that the letter was a defamation to her good name and that she was concerned that the Public Works staff are cheerleaders for Grasso Construction.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS:

RESIGNATIONS: There were none this evening

APPOINTMENTS: There were none this evening.

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June 13, 2017
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REAPPOINTMENTS: There were none this evening.

MAYOR’S REMARKS:

Mr. Igneri said that Mayor Rilling was attending the Brien McMahon High School graduation ceremony. He announced upcoming events and extended his best wishes to all fathers.

Mr. Serasis announced that his “Hello Summer Tour” starts this week at the Belden Avenue Library.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS

RESIGNATIONS: There were none this evening

APPOINTMENTS: There were none this evening.

REAPPOINTMENTS: There were none this evening.

B. CONSENT CALENDAR

**** MR. HEMPSTEAD MOVED THE FOLLOWING CONSENT CALENDAR:**

LAND USE AND BUILDING MANAGEMENT

7A
7A2
7A3
7A4
7A5
7A6
7A7
7A8A AND 7A8B
7A9
7A10A AND 7A10B
7A11
7A12A AND 7A12B

PUBLIC WORKS

7B1
7B2
7B3

7B4A & 7B4B *CONSENT TO TABLE TO THE JUNE 27, 2017 MEETING OF THE*
COMMON COUNCIL
7B5

FINANCE COMMITTEE

7C1
7C2
7C3
7C4
7C5
7C6
7C7
7C8
7C9
7C10
7C11
7C12
7C13

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

A. CORPORATION COUNSEL

VII. COMMON COUNCIL COMMITTEES

A. LAND USE AND BUILDING MANAGEMENT COMMITTEE

- 1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH STEPPING STONES MUSEUM FOR CHILDREN FOR THE USE OF 4 CLASSROOMS ON THE FIRST FLOOR OF BEN FRANKLIN CENTER FROM JULY 5, 2017 TO AUGUST 4, 2017 TO PROVIDE A SUMMER CAMP PROGRAM.**
- 2. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO HOUGHTON MIFFLIN HARCOURT FOR NPS SOCIAL STUDIES TEACHING MATERIAL FOR A TOTAL NOT TO EXCEED \$23,915.84.**
- 3. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO PEARSON FOR HIGH SCHOOL BIOLOGY TEACHING MATERIAL FOR A TOTAL NOT TO EXCEED \$102,233.15.
ACCOUNT NO: 09185010 5777 C0609**
- 4. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO CDW GOVERNMENT LLC FOR CHROMEBOOKS AND CARTS FOR BRIEN MCMAHON HIGH SCHOOL INTERNATIONAL**

BACCALAUREATE DIPLOMA PROGRAM FOR A TOTAL NOT TO EXCEED \$55,107.00,

ACCOUNT NO: 09185010 5777 C0609

- 5. AUTHORIZE, THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO OXFORD UNIVERSITY PRESS FOR TEXTBOOKS FOR BRIEN MCMAHON HIGH SCHOOL INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM FOR A TOTAL NOT TO EXCEED \$37,150.00.**

ACCOUNT NO: 0918501 O 5777 C0609

- 6. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO CDW GOVERNMENT LLC FOR NPS CHROMEBOOKS FOR A TOTAL NOT TO EXCEED \$256,200.00.**

ACCOUNT NO: 09185010 5777 C0112

- 7. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO APPLE FOR COMPUTERS FOR THE MEDIA PATHWAY PROGRAM AT NORWALK HIGH SCHOOL FOR A TOTAL NOT TO EXCEED \$47,388.00.**

ACCOUNT NO: 09185010 5777 C0112

- 8A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH HERBERT RECOVERY SYSTEMS INC. FOR THE REMOVAL OF CONTAMINATED SOIL FROM UNDERGROUND FUEL TANKS AT OAK HILLS PARK FOR A TOTAL NOT TO EXCEED \$21,500.00. FUNDS ARE AVAILABLE FROM DEEP GRANT.**

ACCOUNT NO: 09151340 5799 C0558

- 8B. AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO ISSUE CHANGE ORDER ON CONTRACT FOR A TOTAL NOT TO EXCEED \$4,300.00.**

- 9. AUTHORIZE TO INCREASE CONTINGENCY ALLOWANCE FOR TURCO GOLF LNC.'S CONTRACT FOR OAK HILL PARK IMPROVEMENT PROJECT FOR AN ADDITIONAL \$30,000.00 (TOTAL \$50,000.00) AND AUTHORIZE OFFICE OF BUILDING MANAGEMENT TO ISSUE CHANGE ORDERS ON CONTRACT. FUNDS ARE AVAILABLE FROM DEEP GRANT.**

ACCOUNT NO: 09151340 5799 C0558

10A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH ONE! CONSTRUCTION, LLC FOR THE NORWALK SENIOR CENTER FA9ADE REPAIRS PROJECT FOR A TOTAL NOT TO EXCEED \$40,000.00. FUNDS ARE AVAILABLE FROM:

ACCOUNT NO: 0912 7100 5777 C0147

10B. AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO ISSUE CHANGE ORDERS ON CONTRACT FOR A TOTAL NOT TO EXCEED \$4,000.00.

11. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A 0% LOAN AGREEMENT WITH M-CORE CREDIT CORPORATION FOR THE BALANCE OF THE COSTS FOR THE ENERGY CONSERVATION LIGHTING RETROFIT PROJECT AT THE BELDEN MAIN LIBRARY FOR AN AMOUNT NOT TO EXCEED \$42,655.00. THIS PROJECT WAS IMPLEMENTED THROUGH AND WITH FINANCIAL INCENTIVES FROM EVERSOURCE. MONTHLY LOAN PAYMENT WILL BE PROCESSED THROUGH UTILITY BILLING FROM EVERSOURCE.

12A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH AM ELECTRIC COMPANY, LLC FOR THE HEALTH DEPARTMENT FIRE ALARM UPGRADE PROJECT FOR A TOTAL NOT TO EXCEED \$102,000.00. FUNDS ARE AVAILABLE FROM:

ACCOUNT NO: 0917 2012 5777 C0552.

12B. AUTHORIZE THE HEALTH DEPARTMENT TO ISSUE CHANGE ORDERS ON THE CONTRACT FOR A TOTAL NOT TO EXCEED \$10,200.00.

B. PUBLIC WORKS COMMITTEE

1. AUTHORIZE THE DIRECTOR OF PUBLIC WORKS, TO EXECUTE CHANGE ORDERS FOR PROJECT PM 2017-1 PAVEMENT MANAGEMENT PROGRAM, FOR A SUM NOT TO EXCEED \$575,000.00.

**ACCOUNT NO 09 16 5010 5777 C0516
09 18 5010 5777 C0516**

28 35 5100 430 49

2. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO THE W.I. CLARK COMPANY, FOR THE PURCHASE OF ONE (1) JOHN DEERE 624K II FOUR WHEEL DRIVE LOADER, FOR A SUM NOT TO EXCEED \$154,121.78. STATE OF CONNECTICUT CONTRACT NUMBER 16PSXP0151.

ACCOUNT NO: 09 18 4031 5777 C0313

3. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO TASCA AUTOMOTIVE GROUP CT EAST, INC., FOR THE PURCHASE OF ONE (1) 2017 FORD F-250, FOR A SUM NOT TO EXCEED \$31,935.00 (BID #3734).

ACCOUNT NO: 0917 4031 5777 C0313

- 4A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH THE GRASSO COMPANIES, LLC. FOR PROJECT NO. RD 2017-2 CONCRETE CURBS AND SIDEWALKS AT VARIOUS LOCATIONS, FOR A SUM NOT TO EXCEED \$826,618.00; SUBJECT TO THE SAME TERMS AND CONDITIONS AS AWARD CONTRACT PM2017-1.

ACCOUNT NO: 0918 4021 5777 C0318 CONSENT TO TABLE TO JUNE 27, 2017 COMMON COUNCIL MEETING

- 4B. AUTHORIZE THE DIRECTOR OF PUBLIC WORKS, BRUCE CHIMENTO, TO EXECUTE ORDERS ON CONTRACT WITH THE GRASSO COMPANIES, LLC. FOR PROJECT NO. RD 2017-2 CONCRETE CURBS AND SIDEWALKS AT VARIOUS LOCATIONS, FOR A SUM NOT TO EXCEED \$166,763.00. THIS VALUE CONSISTS OF 10% THE CONTRACT VALUE, PLUS AN \$84,101.00 ESTIMATED COST FOR SIDEWALK AND CURB REPLACEMENT WORK TO BE PERFORMED FOR REDEVELOPMENT AGENCY AT SIDE BY SIDE SCHOOL AT THE INTERSECTION OF CHESTNUT ST. AND HENRY ST. TO BE FUNDED BY AN URBAN CORRIDOR ACCOUNT.

ACCOUNT NO: 0918 4021 5777 C0318

09 18 0910 5777 C0287 CONSENT TO TABLE TO THE JUNE 27, 2017 COMMON COUNCIL MEETING

5. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A CITY/STATE AGREEMENT FOR DEMAND DEPOSIT FOR STATE PROJECT 102-325 (INTERSECTION IMPROVEMENTS ON U.S. ROUTE 1 AT ROUTE 53), FOR A TOTAL SUM NOT TO EXCEED \$31,900.00.

ACCOUNT NO: 0918 4021 5777 C0318

C. FINANCE COMMITTEE

- 1. ACCEPT AND APPROVE THE REPORT OF THE CLAIMS COMMITTEE DATED: JUNE 8, 2017.**
- 2. FOR INFORMATIONAL PURPOSES ONLY: NARRATIVE ON TAX COLLECTIONS DATED JUNE 8, 2017.**
- 3. FOR INFORMATIONAL PURPOSES ONLY: MONTHLY TAX COLLECTOR'S REPORT DATED: MAY 31, 2017.**
- 4. LOCAL AREA NETWORK SWITCH REFRESH: AUTHORIZE THE PURCHASING AGENT TO ISSUE PURCHASE ORDERS TO EPLUS TECHNOLOGY (STATE OF CT CONTRACT 12PSX0431) FOR THE PROCUREMENT OF CISCO LAN SWITCHES FOR FIRE STATIONS AND PUBLIC WORKS GARAGE FOR AN AMOUNT NOT TO EXCEED \$30,727.36.**

**ACCOUNT NO: 09180600-5777-C0375
(BUDGETED IT CAPITAL ITEM; NO SPECIAL
APPROPRIATION REQUIRED)**

- 5. 2017/2018 TECHNOLOGY REFRESH PROGRAM: AUTHORIZE THE PURCHASING AGENT TO ISSUE PURCHASE ORDERS IN ACCORDANCE WITH CITY PROCUREMENT GUIDELINES FOR THE SUPPLY OF PERSONAL COMPUTERS WORKSTATIONS, LAPTOPS, RUGGEDIZED DATA TERMINALS, TABLETS, AND OBSOLETE ASSET DISPOSAL ACCORDING TO CITY IT DEPARTMENT SPECIFICATIONS FOR AN AMOUNT NOT TO EXCEED \$151,205.00.**

**ACCOUNT NO: 09180600-5777-C0375
(BUDGETED IT CAPITAL ITEM; NO SPECIAL APPROPRIATION
REQUIRED)**

- 6. POLICE DEPARTMENT BACKUP/ARCHIVE SYSTEM REPLACEMENT: AUTHORIZE THE PURCHASE AGENT TO ISSUE PURCHASE ORDERS TO GOVCONNECTION FOR THE SUPPLY, INSTALLATION, AND 36 MONTHS OF HARDWARE AND SOFTWARE SUPPORT, FOR A UNITRENDS RECOVERY SYSTEM PER QUOTATION 24356360.01-W1 FOR AN AMOUNT NOT TO EXCEED \$29,391.10.**

**ACCOUNT NO: 09180600-5777-C0375
(APPROVED IT CAPITAL BUDGET ITEM; NO SPECIAL
APPROPRIATION REQUIRED)**

- 7. ENHANCED AUTHENTICATION SYSTEM FOR NORWALK POLICE: AUTHORIZE THE PURCHASE AGENT TO ISSUE PURCHASE ORDERS TO CDW GOVERNMENT FOR THE SUPPLY, INSTALLATION, AND 36 MONTHS OF HARDWARE AND SOFTWARE**

SUPPORT, FOR A RSA AUTHENTICATION SYSTEM PER QUOTATION HXTJ585, DATED 5/22/2017, NATIONAL JOINT POWERS ALLIANCE PURCHASING COOPERATIVE CONTRACT, FOR AN AMOUNT NOT TO EXCEED \$22,000.00.

ACCOUNT NO: 09160600-5777-C0375

(APPROVED IT CAPITAL BUDGET ITEM; NO SPECIAL APPROPRIATION REQUIRED)

- 8. AUTHORIZE MAYOR, HARRY W. RILLING, TO EXECUTE GENERAL LIABILITY, AUTOMOBILE LIABILITY, UM/UM, EMPLOYEE BENEFITS UABILITY, LAW ENFORCEMENT LIABILITY, PUBLIC OFFICIALS LIABILITY, SCHOOL LEADERS LIABILITY, UMBRELLA LIABILITY AND AUTOMOBILE PHYSICAL DAMAGE INSURANCE PLACEMENTS FOR THE ONE YEAR PERIOD BEGINNING JULY 1, 2017 WITH CONNECTICUT LNTERLOCAL RISK MANAGEMENT AGENCY (CIRMA) FOR AN AMOUNT NOT TO EXCEED \$525,277.00 FOR FY 17-18.**

ACCOUNT NO: 161343-541N, 165053-541N

- 9. AUTHORIZE MAYOR, HARRY W. RILLING, TO EXECUTE COMMERCIAL PROPERTY AND BOILER & MACHINERY INSURANCE PLACEMENTS FOR THE FY 2017-18 WITH A. J.GALLAGHER FOR AN AMOUNT NOT TO EXCEED \$479,970.00.**

ACCOUNT NO: 161343-541N, 165053-541N

- 10. AUTHORIZE MAYOR, HARRY W. RILLING, TO EXECUTE EXCESS WORKERS' COMPENSATION INSURANCE PLACEMENTS FOR THE FY 2017-18 WITH H. D. SEGUR, INC. FOR AN AMOUNT NOT TO EXCEED \$142,069.00.**

ACCOUNT NO: 161343-541N, 165053-541N

- 11. AUTHORIZE MAYOR, HARRY W. RILLING, TO EXECUTE CRIME INSURANCE PLACEMENTS FOR THE FY 2017-18 WITH CIRMA FOR AN AMOUNT NOT TO EXCEED \$2,874.00.00.**

ACCOUNT NO: 161343-541N, 165053-541N

- 12. AUTHORIZE MAYOR, HARRY W. RILLING, TO EXECUTE FLOOD INSURANCE PLACEMENTS FOR SEVEN (7) SEPARATE LOCATIONS AND PLACEMENTS THE FY 2017-18 WITH NATIONAL FLOOD INSURANCE PROGRAM - MIDDLESEX MUTUAL ASSURANCE CO. FOR A TOTAL AMOUNT NOT TO EXCEED \$96,939.00.**

ACCOUNT NO: 161343-541N, 165053-541N

- 13. AUTHORIZE MAYOR, HARRY W. RILLING, TO EXECUTE**

**TULIP INSURANCE PLACEMENTS FOR THE FY 2017-18 WITH
SHOFF DARBY FOR A TOTAL AMOUNT NOT TO EXCEED \$9,000.00.
ACCOUNT NO: 161343-541N, 165053-541N**

**** MOTION PASSED UNANIMOUSLY**

D. PERSONNEL COMMITTEE

Due to a potential conflict of interest, Ms. Melendez recused herself and left the Common Council chambers. The public was excused and left the Common Council chambers.

**** MR. SACCHINELLI MOVED TO GO INTO EXECUTIVE SESSION AT 8:05 P.M.**

**1. APPROVE TENTATIVE AGREEMENT BETWEEN CITY AND POLICE
UNION, LOCAL 1727. *EXECUTIVE SESSION***

**** MOTION PASSED UNANIMOUSLY**

**** MR. SACCHINELLI MOVED TO COME OUT OF EXECUTIVE SESSION AT
8:32 P.M.**

**** MOTION PASSED UNANIMOUSLY**

**** MR. IGNERI MOVED TO APPROVE TENTATIVE AGREEMENT BETWEEN
CITY AND POLICE UNION. LOCAL 1727**

**** MOTION PASSED UNANIMOUSLY**

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

There were none this evening.

XI. ADJOURNMENT

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

There was no further business and the meeting was unanimously adjourned at 8:33 p.m.

ATTEST:

Donna King, City Clerk