

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

I. ROLL CALL

II. ACCEPTANCE OF MINUTES

Regular Meeting: May 8, 2018

III. PUBLIC PARTICIPATION

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS:

APPOINTMENTS:

REAPPOINTMENTS:

MAYOR'S REMARKS:

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS:

RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS:

APPOINTMENTS:

REAPPOINTMENTS:

B. CONSENT CALENDAR:

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

A. CORPORATION COUNSEL

1. Authorization to Settle Claim: Austin Getner, ppa Amy Getner v. City of Norwalk, et al **EXECUTIVE SESSION**

VII. COMMON COUNCIL COMMITTEES

A. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

1. TECHNICAL CORRECTION OF COMMON COUNCIL ACTION on March 27, 2018 Item VII B 1 to revise Set up Date and Time Original Saturday, June 2, 2018 at 9:00 AM New Action to read as follows:

Authorize the Mayor, Harry W. Rilling, to enter into an agreement with Ninety 9 Bottles for the use of Oyster Shell Park for the Ninety 9 Bottles Craft Beer Festival to be held Saturday, June 2, 2018 from 2:00 PM – 5:00 PM. Set up to take place Friday, June 1, 2018 at 2:00 PM with tear down no later than Saturday, June 2, 2018 at 10:00 PM. Estimated attendance 1,200.

2. TECHNICAL CORRECTION OF COMMON COUNCIL ACTION on April 24, 2018 Item VII B 2A and 2B to include a Rain Date. New Action to read as follows:

a) Authorize the Mayor, Harry W. Rilling, to enter into an agreement with the Exchange Club of Norwalk for their use of Taylor Farm for the Gateway Antique Auto Show to be held Sunday, April 29, 2018 from 8:00 AM – 5:00 PM with a rain date of Sunday, May 6, 2018. Set up to begin Sunday, April 29, 2018 at 6:00 AM with tear down no later than 7:00 PM on Sunday, April 29, 2018.

b) Approve the use of the Show Mobile by the Exchange Club of Norwalk for use at Taylor Farm on Sunday, April 29, 2018 from 8:00 AM – 5:00 PM with a rain date of Sunday, May 6, 2018.

3. Authorize the Mayor, Harry W. Rilling, to enter into an agreement with Light for Kara for their use of Calf Pasture Beach for the Light for Kara 5K to be held Saturday, October 13, 2018 from 8:00 AM – 12:00 Noon with set up to take place at 6:30 AM and tear down no later than 1:00 PM on Saturday, October 13, 2018. Estimated attendance 300.
4. Authorize the Mayor, Harry W. Rilling, to enter into an agreement with Stew Leonard's for the use of Andrews Parking area to service their employees during busy store dates.

2018: June 30
July 1, 2, 3
November 20, 21
December 1, 2, 8, 9, 22, 23, 24

2019: April 19, 20
May 11, 12
May 25, 26, 27

B. FINANCE COMMITTEE

1. Accept and Approve the Report of the Claims Committee Dated: May 10, 2018

2. For informational purposes only: Narrative on Tax Collections dated May 10, 2018.
3. For informational purposes only: Monthly Tax Collector's Report Dated: April 30, 2018
4. RESOLVED, that a sum not to exceed \$1,200,000 be and the same is hereby transferred from Fund Balance to the Board of Education to fund a Special Education's Development Fund representing the final payment of the three year Memorandum of Agreement between the Board of Education and the City of Norwalk.
5. RESOLVED, that a sum not to exceed \$1,345 be and the same is hereby transferred from Increased Revenues from the State of Connecticut Library to the Norwalk Public Library.

C. ORDINANCE COMMITTEE

1. Approve proposed revisions to the 401 Governmental Money Purchase Plan & Trust Basic Document
2. Approve proposed revisions to Article II Signs on Streets and Highways:
 - a) § 21-19 (Permits required; fee)
 - b) § 21-21 (Requirement for signs)
3. Approve proposed revisions to Article III Tax Relief for the Elderly and Disabled Homeowners:
 - a) § 103-6 (Eligibility)
 - b) § 103-12 (Amount of benefits; annual adjustment)
4. Approve proposed new ordinance: Prohibiting Natural Gas Waste and Oil Waste from Natural Gas Extraction Activities within the City of Norwalk.

D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

- 1a. Authorize the Purchasing Agent to issue a Purchase Order to Commercial Heating Supply, a division of Torcco Company for the purchase of boilers for the Cranbury School boilers replacement project for a total not to exceed \$74,551.00 Capital Budget Acct. #09185010 5777 C0610 and Norwalk Public Schools – State Alliance II Grant

Account No: 28355200-430-25

- 1b. Authorize an allowance for change order for a total not to exceed \$4,000.00.
2. Authorize the Mayor, Harry W. Rilling, to execute on behalf of the City of Norwalk, the document titled Administrative Settlement Agreement, between the City of Norwalk and the State of Connecticut for the State to obtain certain property rights from the City's property at 10 North Water Street, Norwalk, CT where the Maritime

Aquarium is located, and for the functional replacement of the IMAX Theatre and other improvements at the Maritime Aquarium.

VIII. RESOLUTIONS FROM COMMON COUNCIL

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

X. SUSPENSION OF RULES

XI. ADJOURNMENT

**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.**

CALL TO ORDER

Mayor Rilling called the meeting to order at 7:38 p.m. and led the assembly with the pledge of allegiance.

City Clerk King read the notice that this meeting is being video taped and audio recorded for public broadcast, and assisted listening devices are available.

I. ROLL CALL

City Clerk King called the roll. The following Council Members were present:

Council at Large:	Mr. Greg Burnett	Mr. Michael Corsello	Mr. Nick Sacchinelli
	Ms. Barbara Smyth	Mr. Doug Stern	
District A:	Ms. Eloisa Melendez	Mr. Chris Yerinides	
District B:	Ms. Phaedrel Bowman	Mr. Travis Simms (7:45 pm)	
District C:	Mr. John Kydes	Ms. Beth Siegelbaum	
District D:	Mr. Doug Hempstead	Mr. George Tsiranides	
District E:	Mr. John Igneri	Mr. Thomas Livingston	

Mayor Harry Rilling, Mario Coppola, Corporation Counsel; City Clerk: Donna King. The meeting began with 14 present. Mr. Simms entered the meeting at 7:45 p.m. It is noted that Mr. Corsello left the meeting (9:00 p.m.) and was not present for the votes after the Executive Sessions.

Absent:

II. ACCEPTANCE OF MINUTES - Regular Meeting – April 24, 2018

** MR. IGNERI MOVED THE MINUTES OF APRIL 24, 2018 AS SUBMITTED.
** MOTION PASSED WITH THIRTEEN VOTES IN FAVOR, NONE OPPOSED AND ONE ABSTENTION (BOWMAN)

Public Comments:

City Clerk King announced that those that had signed up to speak were to come to the podium when name was called and to abide by rules of Public Participation.

Public Comments are not verbatim and represent summarizations of comments on agenda topics.

1. Richard Bonenfant, 17 Parkhill Ave, spoke on Items 9a, 9b,10—So. Norwalk open space land to build a new school. He noted the swap with NCC open space gives those residents a false sense of security, as the City may take it away someday. He added the kids are getting a civics lesson as the Council takes away their park and replaces it with a ball field further away. ..but it's alright as long as you get what you want, and you're going to celebrate because you're getting a nice new school
2. Jeff Cocchia 10 Tito Court property owner since 1980 spoke against taking South Norwalk open space land to build a new school and said he would not stand by and let the City take over and plans to fight eminent domain.
3. Sharon Stewart, 15 Madison St. asked, how the South Norwalk children would get to the new open space land in West Norwalk to play...you realize they can't utilize the other property because they won't be able to get there.

Mayor Rilling closed the public participation portion of the meeting at 7:40 p.m.

MAYOR:

Mayor's Remarks:

May 12 is annual Norwalk High School Clean-up Day
Mother's Day is Sunday, May 13 – Pay tribute to women--moms, daughters, wives, etc.
May 15 is City Tree Dedication at St. John's Cemetery 10am
May 15 is Police Memorial Ceremony to remember all lives lost of those in line of duty.
May 17 Dedication of intersection Sunset-Eversley to former Mayor Esposito
May 20 Veteran's Shea McGrath Memorial – Calf Pasture
May 28 Memorial Day Parade – Veterans' Park 10 am - rain or shine this year

COUNCIL PRESIDENT

RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS:

Michael Church, Ethics Board (Alternate)

APPOINTMENTS: Michael Church, Ethics Board (Regular)

Mr. Kydes spoke in support of Michael Church and his contributions on the Board of Ethics.

**** MR. KYDES MOVED TO APPROVE THE APPOINTMENT OF MICHAEL CHURCH
AS A REGULAR ON THE ETHICS BOARD.**

**** MOTION PASSED UNANIMOUSLY.**

Appointments – continued

Nora Niedzielski-Eichner, Ethics Board (Alternate)

Mr. Igncri spoke in support of Nora Niedzielski-Eichner and noted her impressive resume of qualifications and that he recommends her appointment to the Board of Ethics.

**** MR. IGNERI MOVED TO APPROVE THE APOINTMENT OF NORA
NIEDZIELSKI-EITHNER AS AN ALTERNATE ON THE ETHICS BOARD.
** MOTION PASSED UNANIMOUSLY.**

Darin L Callahan, Assistant Corporation Counsel

Mr. Kydes spoke in support of the appointment of Darin Callahan as Assistant Corporation Counsel.

**** MR. KYDES MOVED TO APPROVE THE APOINTMENT OF
DARIN L CALLAHAN, ASSISTANT CORPORATION COUNSEL
** MOTION PASSED UNANIMOUSLY.**

CONSENT CALENDAR:

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

Mr. Kydes asked Ms. Seigelbaum to read the Consent Calendar. He noted that audience members in attendance representing an item approved on consent are not obliged to stay as the item would not be further deliberated.

Following the presentation of the Consent Calendar, Ms. Bowman requested item VII D 1a. 1b. to be removed from Consent.

Items approved on consent are as follows:

**VII. A. 1, 2, 3, 4, 5, 6a. 6b. 7a. 7b; B. 1, 2, 3, 4, C. 1, 2, 3;
D. 2a. 2b. 3a. 3b. 3c. 4. 5a. 5b.6a. 6b. 7a. 7b. 8.**

**** MR. KYDES MOVED THE CONSENT CALENDAR FOR APPROVAL.
** CONSENT CALENDAR WAS APPROVED UNANIMOUSLY.**

Consent Calendar items are as follows:

Authorize the Mayor, Harry W. Rilling, to execute all required documents related to the execution of the Easement Agreement between the City of Norwalk and the State of Connecticut Department of Transportation for a temporary construction easement of 11,130± square feet for the purpose of storage of construction materials and equipment during the Walk Bridge replacement project for a period of three (3) years, unless extinguished sooner by the State upon completion of the project, as depicted on a map prepared by the State of Connecticut Department of Transportation entitled "Compilation Plan Town of Norwalk Map Showing Easement Acquired From City Of Norwalk By The State Of Connecticut Department Of Transportation Walk Railroad Bridge Replacement, dated February 2018, or subsequent revisions, at a scale of 1" = 20' on file in the Department of Public Works in exchange for a payment of \$100,000.00.

Authorize the Mayor, Harry W. Rilling, to enter into an Agreement with WSP USA Inc. for State Project 102-360 Traffic Signal Upgrade and Installation of Dynamic Message Systems for an amount not to exceed \$604,661.00.

Account No. Grant – FHWA-State of Conn DOT CMAQ program.

Authorize the Purchasing Agent to issue a Purchase Order to Gabrielli Truck Sales for the purchase of one (1) 2018 Ford F-250, for a sum not to exceed \$36,754.00.

Account No. 09 18 4031 5777 C0313

Authorize the Mayor, Harry W. Rilling, to execute a 2nd Amendment to the June 5, 2017 Contract with Tighe and Bond, Inc., to provide professional engineering services relative to investigating deficiencies and options for the portion of the Norwalk Levee located south of the Perry Avenue Bridge, adjacent to the Norwalk River for an amount not to exceed \$148,200 for Construction Observation Services of Project No. PM 2018-1 Pavement Management Program.

Account No. 09 18 4021 5777 C0021

Authorize the Director of Public Works to execute Orders on Contract with The Grasso Companies, LLC for Project PM 2018-1 Pavement Management Program, for a sum not to exceed \$227,915.00.

Account No. 09 16 5010 5777 C0516; 09 19 5010 5777 C0516

Authorize the Mayor, Harry W. Rilling, to execute an Agreement with P & S Paving, Inc. for Project PM 2018-2 Bituminous Concrete Permanent Repairs, for a sum not to exceed \$382,102.25.

Account No. 03 00 00 2602

6b. Authorize the Director of Public Works, to execute Orders on Contract with P & S Paving, Inc., for Project PM 2018-2 Bituminous Concrete Permanent Repairs, for a sum not to exceed \$38,210.23.

Account No. 03 00 00 2602

7a. Authorize the Mayor, Harry W. Rilling, to execute an Agreement with Sealcoating Inc., for Project PM 2018-3 Crack Sealing at Various Locations, for a sum not to exceed \$187,775.00.

Account No. 09 18 4021 5777 C0021

7b. Authorize the Director of Public Works, to execute Orders on Contract with Sealcoating Inc., for Project PM 2018-3 Crack Sealing at Various Locations, for a sum not to exceed \$18,777.50.

Account No. 09 18 4021 5777 C0021

Consent Calendar – continued

B. HEALTH, WELFARE AND PUBLIC SAFETY COMMITTEE

1. Authorize the Mayor, Harry W. Rilling, to execute a Sub-Grant Agreement between the City of Norwalk and Odyssey Learning, Inc. to provide for Child Day Care grant funding in the amount of \$714,228.32 for eligible program expenses.
2. Authorize the Mayor, Harry W. Rilling, to execute a Sub-Grant Agreement between the City of Norwalk and Growing Seeds Child Development Center, Inc., CDC, LLC to provide for Child Day Care grant funding in the amount of \$609,385.92 for eligible program expenses.
3. Authorize the Mayor, Harry W. Rilling, to execute a Sub-Grant Agreement between the City of Norwalk and Odyssey Learning, Inc. to allocate \$57,035.40 of Child Day Care grant funding for the operation of the 2018 summer child care programming for Head Start Children.
4. Authorize the Mayor, Harry W. Rilling, to execute a Sub-Grant Agreement between the City of Norwalk and Stepping Stones Museum for Children, Inc. to allocate \$57,862 of Child Day Care grant funding for the operation of the 2018 summer child care programming for Head Start Children.

C. PLANNING COMMITTEE

1. Authorize the Mayor, Harry W. Rilling, to execute separate Master Services Agreements with Decario & Doll and Andriopoulos Design Associates for on call professional consulting services to be performed on an as-needed basis related to peer architectural/planning review. The Scope of Work will be performed pursuant to individual Letters of Agreement detailing the scope of the work for each Project. Services will be paid for by individual applicants with the Department.
2. Authorize the Director of Planning and Zoning to execute the Letters of Agreement for individual projects on an as-needed basis to authorize the work to be done.
3. Approve the applications for Connecticut's 2018 Neighborhood Assistance Act Tax Credit Program (NAA-TCP) for referral to the State for inclusion in the NAA tax credit program.

D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

- 2a. Authorize the Mayor, Harry W. Rilling, to execute an Agreement with Colliers International to provide commissioning services for the Ponus Ridge Middle School additions and renovations for a total not to exceed of \$80,350.

Account No.09 18 5010 5777 C0608

- 2b. Authorize to establish a contingency for additional services as may be required for a total not to exceed \$8,000.

Consent Calendar – Land Use Building Management –continued

- 3a. Approve Norwalk Facilities Construction Commission (NFCC), acting in accordance with Norwalk Ordinances, as the Norwalk School Building Committee for the Norwalk High School Improvement Projects.
- 3b. Authorize the preparation of schematic drawings and outline specifications for the Norwalk High School Improvement Projects.
- 3c. Authorize the filing of a school grant application to the State Department of Administrative Services for the Norwalk High School Improvement Projects project. CT General Assembly defined project type is: (A) Alteration aka improvements or renovation) / CV (Code Violation, aka ADA).
- 4. Authorize to increase contingency allowance for Turco Golf Inc.'s contract for Oak Hill Park Improvement Project for an additional \$9,617.74 (total \$59,617.74) and authorize Office of Building Management to issue change orders on Contract. Funds are available from DEEP Grant.

Account No: 09 15 1340 5799 C0558

- 5a. Authorize the Mayor, Harry W. Rilling to execute a Contract with Supertech, Inc. for the Norwalk Concert Hall – Stage Lighting Control System Replacement Project for a total not to exceed \$37,986.00.

Account No: 09 14 4071 5777 C0439

- 5b. Authorize the Office of Building Management to issue Change Orders on Contract for a total not to exceed \$3,798.00
- 6a. RESCIND Common Council Action of January 9, 2018, VII.,D.,1a &1b., which authorized the following:
 - "1a. Authorize the Mayor, Harry W. Rilling, to execute an Agreement with Transfer Enterprises for the City Hall Community Room Improvement Project for a total not to exceed \$47,000.00 Acct. #09167100 5777 C0439
 - 1b. Authorize the Office of Building Management to issue Change Orders on Contract for a total not to exceed \$4,700."

6b. NEW ACTION:

- 1a. Authorize the Mayor, Harry W. Rilling, to execute an agreement with Re-Tech, LLC for the Community Room upgrade project for a total not to exceed \$88,400.00. Acct. #09167100 5777 C0439
- 1b. Authorize the Office of Building Management to issue Change Order on Contract for a total not to exceed \$8,840.
- 7a. Authorize the Purchasing Agent, to issue a Purchase Order to Valley Communication Systems, Inc, for audio and visual equipment for the City Hall Community Room for a total not to exceed \$49,399.24.

Account No: 09 16 7100 5777 C0439

- 7b. Authorize the Office of Building Management to issue change orders on contract for a total not to exceed \$1,000.00
- 3. Authorize to increase Change Order Allowance with Domus Constructor, LLC for Mathews Mansion Museum ADA Improvement Project by \$27,115 (revised total allowance - \$60,000). \$17,115 is available from the State DECD grant Account No: 09 1777 100 5799 C0186 and \$10,000 from Historical Commission Capital Budget Account No: 09 17 6310 5777 C0186

Land Use Building Management – continued...

Mayor Rilling noted that next on the order of business would be an Executive Session.

- ** **MR.IGNERI MOVED TO ENTER INTO EXECUTIVE SESSION FOR PURPOSES OF DISCUSSION OF ITEM VI 1.**
- ** **MOTION TO ENTER INTO EXECUTIVE SESSION PASSED UNANIMOUSLY.**

** The meeting went into Executive Session at 8:06 p.m. and was reconvened into public session at 8:14 p.m. There were no votes or actions taken.

- ** **MR. KYDES MOVED TO TABLE ITEM VI. 1. BACK TO COMMITTEE: AUTHORIZATION TO SETTLE CLAIM AUSTIN GETNER, PPA AMY GETNER v. CITY OF NORWALK, et. al.**
- ** **MOTION TO TABLE PASSED UNANIMOUSLY.**

- ** **MR.IGNERI MOVED TO ENTER INTO EXECUTIVE SESSION FOR PURPOSES OF DISCUSSION OF ITEMS VII D. 1A, 1B, 9A, 9B, 10.**
- ** **MOTION TO ENTER INTO EXECUTIVE SESSION PASSED UNANIMOUSLY.**

** The meeting went into Executive Session at 8:15 p.m. and was reconvened into public session at 9:40 p.m. There were no votes or actions taken.

*It was noted that Mr. Corsello left the meeting during the Executive Session and was not present for the votes.

VII. D. Land Use & Building Management Committee

1a. Authorize the Mayor, Harry W. Rilling, to execute an Agreement with Innovative Engineering Services, LLC to provide commissioning services for the new Columbus School at Ely Site for a total not to exceed \$51,400. Acct. No. 09-18-5010-5777-C0607

1b. Authorize to establish a contingency for additional services as may be required for a total not to exceed \$5,000.

Mr. Livingston read the item and noted that this was the recommendation as part of the bidding process vetted through Facilities Construction Commission and the Education Specifications Committee.

- ** **MR. LIVINGSTON MOVED TO APPROVE THE ITEMS VII. D. 1A AND 1B.**

D1A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH INNOVATIVE ENGINEERING SERVICES. LLC TO PROVIDE COMMISSIONING SERVICES FOR THE NEW COLUMBUS SCHOOL AT ELY SITE FOR A TOTAL NOT TO EXCEED \$51,400. ACCT. NO. 09-18-5010-5777-C0607

D1B. AUTHORIZE TO ESTABLISH A CONTINGENCY FOR ADDITIONAL SERVICES AS MAY BE REQUIRED FOR A TOTAL NOT TO EXCEED \$5,000.

**** MOTION PASSED WITH TWELVE VOTES IN FAVOR, TWO OPPOSED (BOWMAN, SIMMS) AND NO ABSTENTIONS.**

Mr. Kydes requested a five-minute recess. The meeting was recessed at 9:45 p.m. and reconvened at 9:50 p.m.

Land Use Building Management – continued

9a. Approve the proposed acquisition of properties located at 4 Tito Court and 10 Tito court through direct purchase and/or through Eminent Domain process for open space as part of the proposed Columbus School project.

9b. Authorize the Mayor, Harry W. Rilling to execute any and all documents necessary for the acquisition of properties located at 4 Tito Court and 10 Tito Court.

Mr. Livingston read the items and noted that this was the recommendation as part of the school construction and renovation process vetted through the Norwalk Facilities Construction Commission and Land Use & Building Management Committee. He added that as discussed in Executive Session, there were many properties considered for this use and evaluated but deemed unsuitable for acquisition due to size and/or property limitations.

Ms. Bowman stated she was opposed to this item and on behalf of the South Norwalk constituents would be voting no.

Mr. Hempstead explained that the Board of Education put forward a plan for the school and unanimously voted for it, then it went through a process with the last Council moving it forward. He added that we are building a school-- not building a private enterprise on this property, we are not building so that some other land developer can come in, develop the property, then we hand it off to them. We are building a school--some of the arguments against coming forth are hard to accept as we're building a public school as the schools are at 110 percent capacity...

Ms. Bowman responded that although we are building a school...there are flaws with the plan, that neither the new Columbus or the old Columbus, when it's renovated will be a neighborhood school so, not we're not necessarily building a school for those residents that are immediately in that area. We are taking land from these residents when they are not going to be let into this school, and understand there's going to be some seats set aside for them, but it's not going to be their neighborhood school. She said she would reserve other comments for the next item.

**** MR. LIVINGSTON MOVED TO APPROVE ITEMS VII. 9A AND 9B.
** MOTION PASSED WITH TWELVE VOTES IN FAVOR, TWO OPPOSED
(BOWMAN, SIMMS) AND NO ABSTENTIONS.**

Land Use & Building Management

10. Authorize the Mayor, Harry W. Rilling, to execute any and all documents necessary to submit to applicable regulatory agencies and to implement the open space land swap necessary the construction of the Columbus School at Ely site. Proposed land swap will remove the federal and State Open Space restrictions on approximately 3.28 acres of Springwood Ely Park situated on Ingalls Avenue (District 5, Block 83, Lot 52) for the construction of the new Columbus School and encumber approximately 1 .04 acres of City owned undeveloped property on Richards Avenue (District 5, Block 68, Lot 220) behind Norwalk Community College as Open Space land subject to federal and state use restrictions.

Mr. Livingston moved the item for discussion and outlined that the Committee is sympathetic to the loss of the park area but the City and Board of Education looked for other properties that would work for a new school and did not find any that met the specifications. He added that the Consultants have said that eight to ten acres are needed for a new school, given all the space needed for buses, security and recreation space.

Mr. Simms stated he was also opposed to this item and on behalf of the South Norwalk constituents would be voting no. He said it was absurd to kick people out of their property and the city should not be in practice of forcing folks out for their own personal agendas, that many Council members only on the Council for six months don't know what they're pushing.

Ms. Melendez said the new members had made an effort to understand the issue, and feels it's disrespectful to say that they just got on and they are just furthering an agenda.

Mr. Simms said those consultants were initially told to look at the St. Phillip's property but shortly after they got the confirmation they switched gears, went and chose the Nathaniel Ely property. He added that they coerced this entire effort to take this Nathaniel Ely park from the people. We've seen this racial undertone for the last four years with this Council, with two African American representatives from this district--to be disrespected the way we've been treated with this Council is just absurd.... This isn't an African American thing but is also affecting all the Latinos, the Haitian Americans as well. For us to continue to drive this agenda is just not in the best interests of the residents. He added that the city is moving ahead with the project without approval from the DEEP or the National Parks Service for the land swap, adding that the old Norwalk Community College site could've been used for a school.

Mr. Yerinides pointed out that the city can't get approval for the land swap without submitting the entire plans for the new school construction to the state—which is a pointless argument, we need to be in possession of the land necessary to do this. He added that as far as looking at other schools and sites, we have done that--the old NCC site can't be used due to restrictions on having multiple floors and certain age groups needing to be on the ground floor.

Mr. Sacchinelli pointed out that the Land Use and Building Management Committee had a public hearing on the land swap issue, with South Norwalk residents who spoke were in favor.

Ms. Bowman added that the usable space argument is not true, taking the baseball field--if you want to give us more usable space, give us more usable space...we already own the parkland so give us more usable space, you can do that without taking away the parkland that we already have. Also, the new seats won't be added for children within the next 10 years because we have two to three years of work before a shovel can go in the ground. DEEP has told us that it is going to cost us money, additional money that no one has accounted for. She added that there are new state laws being passed about state-owned land and how it is transferred, and that the city didn't look at commercial properties...

**** MR. LIVINGSTON MOVED TO APPROVE ITEM VII. 10.**

AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO SUBMIT TO APPLICABLE REGULATORY AGENCIES AND TO IMPLEMENT THE OPEN SPACE LAND SWAP NECESSARY THE CONSTRUCTION OF THE COLUMBUS SCHOOL AT ELY SITE. PROPOSED LAND SWAP WILL REMOVE THE FEDERAL AND STATE OPEN SPACE RESTRICTIONS ON APPROXIMATELY 3.28 ACRES OF SPRINGWOOD ELY PARK SITUATED ON INGALLS AVENUE (DISTRICT 5, BLOCK 83, LOT 52) FOR THE CONSTRUCTION OF THE NEW COLUMBUS SCHOOL AND ENCUMBER APPROXIMATELY 1 .04 ACRES OF CITY OWNED UNDEVELOPED PROPERTY ON RICHARDS AVENUE (DISTRICT 5, BLOCK 68, LOT 220) BEHIND NORWALK COMMUNITY COLLEGE AS OPEN SPACE LAND SUBJECT TO FEDERAL AND STATE USE RESTRICTIONS.

**** MOTION PASSED WITH TWELVE VOTES IN FAVOR, TWO OPPOSED (BOWMAN, SIMMS) AND NO ABSTENTIONS.**

There was no further business.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE - none

X. SUSPENSION OF RULES - None

XI. ADJOURNMENT

**** MR. LIVINGSTON MOVED TO ADJOURN.**

**** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 10:15 p.m.

Respectfully submitted,

M. Knox; Telesco Secretarial Services

ATTEST

Donna King, City Clerk Date:



Norwalk City Hall,
Recreation and Parks
Department
125 East Avenue, PO Box 5125
Norwalk, CT 06856-5125

VII. A

**RECREATION, PARKS & CULTURAL AFFAIRS COUNCIL COMMITTEE
COUNCIL AGENDA ITEMS
MAY 22, 2018**

1. TECHNICAL CORRECTION OF COMMON COUNCIL ACTION on March 27, 2018 Item VII B 1 to revise Set up Date and Time Original Saturday, June 2, 2018 at 9:00 AM New Action to read as follows:

Authorize the Mayor, Harry W. Rilling to enter into an agreement with Ninety 9 Bottles for the use of Oyster Shell Park for the Ninety 9 Bottles Craft Beer Festival to be held Saturday, June 2, 2018 from 2:00 PM – 5:00 PM. **Set up to take place Friday, June 1, 2018 at 2:00 PM** with tear down no later than Saturday, June 2, 2018 at 10:00 PM. Estimated attendance 1,200.

2. TECHNICAL CORRECTION OF COMMON COUNCIL ACTION on April 24, 2018 Item VII B 2A and 2B to include a Rain Date. New Action to read as follows:

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B) Approve the use of the Show Mobile by the Exchange Club of Norwalk for use at Taylor Farm on Sunday, April 29, 2018 from 8:00 AM – 5:00 PM with a **rain date of Sunday, May 6, 2018**.

3. Authorize the Mayor, Harry W. Rilling to enter into an agreement with Light for Kara for their use of Calf Pasture Beach for the Light for Kara 5K to be held Saturday, October 13, 2018 from 8:00 AM – 12:00 Noon with set up to take place at 6:30 AM and tear down no later than 1:00 PM on Saturday, October 13, 2018. Estimated attendance 300.
4. Authorize the Mayor, Harry W. Rilling to enter into an agreement with Stew Leonard's for the use of Andrews Parking area to service their employees during busy store dates.

2018: June 30
July 1, 2, 3
November 20, 21
December 1, 2, 8, 9, 22, 23, 24

2019: April 19, 20
May 11, 12
May 25, 26, 27

Potrykus, Patty

From: Hughes, Ken
Sent: Friday, April 27, 2018 11:21 AM
To: Tiscia, Barbara
Cc: 'Michael Corsello'; Potrykus, Patty
Subject: RE: RE: RE: 2018 Event

ok

From: Tiscia, Barbara
Sent: Friday, April 27, 2018 11:19 AM
To: Hughes, Ken
Subject: FW: RE: RE: 2018 Event

See below email. Would you please bring this to the next Common Council meeting the application for a technical correction. Changing the setup date to Friday, June 1st, 2018.

Barbara B. Tiscia
Legal Assistant



City of Norwalk
125 East Avenue
PO Box 5125
Norwalk, CT 06856-5125
203-854-7750
btiscia@norwalkct.org
Fax: (203) 854-7901

The information contained in this e-mail message may be privileged and confidential information and is intended only for the use of the individual and/or entity identified in the alias address of this message. If the reader of this message is not the intended recipient, or an employee or agent responsible to deliver it to the intended recipient, you are hereby requested not to distribute or copy this communication. If you have received this communication in error, please notify us immediately by telephone or return e-mail and delete the original message from your system. Thank you.

From: Kymberly Soos [mailto:ksoosus@yahoo.com]
Sent: Friday, April 27, 2018 10:55 AM
To: Tiscia, Barbara <BTiscia@norwalkct.org>; Jill Dunn <jillsdunn@yahoo.com>
Subject: Re: RE: RE: 2018 Event

Hi Barbara,

Is there any issue if we have the porto-potties delivered Friday evening to Oyster Shell?
The last few years they have been scheduled to deliver on Saturday morning but are consistently late
and it causes major traffic on the access road.

Thanks,

Kymlberly Solens

On Thursday, April 26, 2018, 8:56:35 AM EDT, Tiscia, Barbara <BTiscia@norwalkct.org> wrote:

You will need \$1 million coverage per occurrence

Annual aggregate limit shall not be less than \$2 million.

Barbara B. Tiscia

Legal Assistant



City of Norwalk

125 East Avenue

PO Box 5125

Norwalk, CT 06856-5125

203-854-7750

Potrykus, Patty

Subject: FW: Exchange Club Car Show
Attachments: image006.png; image005.jpg; image006.png; image005.jpg

From: Spahr, Jeff <jspahr@norwalkct.org>
Sent: Monday, April 30, 2018 5:37 PM
Subject: Exchange Club Car Show
To: Rilling, Harry <hrilling@norwalkct.org>, Coppola, Mario <mcoppola@norwalkct.org>, King, Laoise <lking@norwalkct.org>
Cc: Hughes, Ken <khughes@norwalkct.org>, 'Michael Corsello' <mcorsello@mcorsello.com>, Beltz-Jacobson, Diane <dbj@norwalkct.org>, Spahr, Jeff <jspahr@norwalkct.org>

Greetings –

I was able to check the backup material that was submitted to the Common Council as part of the packet they had when they approved the use of Taylor Farm for the Exchange Club's annual Car Show. These materials included the original application that was submitted to the Rec and Parks Department. Significantly, the application specifically listed May 6th as a Rain Date for the event.

I am told by Ken Hughes that the materials given to the Rec and Parks Dept also would have included the Application listing the Rain Date. It seems that in preparing the materials for the presentation of this event at the Committee level that the staff of the Rec and Parks Dept did not include the rain date in the proposed action to be taken. This authorization coming out of Committee (without the Rain Date) was forwarded to the Common Council (with the same inadvertent omission).

It seems to me that this represents an accidental technical omission of the Rain Date. However, as mentioned the back up materials clearly listed the Rain Date. These materials were available to members of the Public as well as Committee and Council people. I am comfortable that the intent of the proposal was well known to all and /or available to those who would have an interest in the matter.

I would suggest that at the next Common Council meeting that a correction be made on the record so that the authorization for hosting this event on the Rain Date is noted.

In the meantime, it is my understanding that the Exchange Club has increased its insurance coverage to cover this entire week (since some of their equipment is on site) and through the rain date.

Therefore, upon the condition that the authorization is clarified at the next meeting and that there is adequate insurance in place I am comfortable with this event going forward on the Rain Date as originally planned and noted.

M. Jeffry Spahr
Deputy Corporation Counsel
City of Norwalk
125 East Avenue
Norwalk, Conn. 06851
(203)854-7750
(203)854-7901 (f)

**CITY OF NORWALK RECREATION & PARKS DEPARTMENT
FACILITIES RENTAL APPLICATION FORM**

PLEASE PRINT

ORGANIZATION NAME:

Light for Kara

PERSONAL/FAMILY
ASSOCIATION/CLUB
COMPANY/BUSINESS

NAME OF CORPORATE OFFICER AUTHORIZED
TO EXECUTE THE LICENSE AGREEMENT:

TITLE:

YOUR NAME:

Jennifer Garry

TITLE:

Coordinator

ADDRESS:

28 Esquire Rd.

E-MAIL ADDRESS:

JenniferNGarry@gmail.com

CITY:

Norwalk

STATE:

CT

ZIP CODE:

06851

HOME PHONE:

BUSINESS PHONE:

(203) 984-2765

CELL:

(203) 984-3280

FACILITY & EVENT INFORMATION

FACILITY REQUESTED:

Calf Pasture

OF PARTICIPANTS:

300 +

EVENT:

Light for Kara 5k Race

DATE REQUESTED:

10/13/2018

SET UP TIME:

1:30 am

STARTING TIME:

8:30 am

ENDTIME:

1 pm

RAIN DATE:

N/A

(RAIN DATE NOT APPLICABLE WITH PAVILION OR MANSION)

ARE YOU REQUESTING THE USE OF ALCOHOLIC BEVERAGES AND/OR BEER KEGS? YES X NO

ARE YOU SERVING FOOD: YES X NO

ARE YOU REQUESTING A TENT? YES NO X

X

*ANY TENT (STRUCTURE) 10 x 10 FEET OR LARGER INCLUDING, BUT NOT LIMITED TO; ELECTRICAL LIGHTING EQUIPMENT, REQUIRES A SEPARATE PERMIT FROM THE CODE ENFORCEMENT DEPARTMENT

WATER DUNKING MACHINES MUST RECEIVE APPROVAL FROM DIRECTOR OF RECREATION & PARKS. IF APPROVED SEPARATE INSURANCE MUST BE PURCHASED AND PRESENTED. BOUNCE HOUSES AND DRONES ARE NOT ALLOWED ON ANY CITY PROPERTY, INCLUDING SCHOOL GROUNDS AND PARKS. VIOLATION OF THIS RULE MAY JEOPARDIZE FUTURE EVENTS IN THE CITY

ARE YOU REQUESTING TO USE DISPLAY ADVERTISING AT YOUR EVENT?

YES

NO

ARE YOU REQUESTING TO SOLICIT CONTRIBUTIONS AT YOUR EVENT?

YES

NO

ARE YOU REQUESTING TO SELL FOOD, BEVERAGES, GOODS OR WARES?

YES

NO

PLEASE NOTE: NO GLASS OR BOTTLES ALLOWED ON CITY PARK PROPERTY; OPEN PIT FIRES ARE PROHIBITED DEPOSIT/FEES ARE NON REFUNDABLE OR TRANSFERABLE; CERTIFICATE OF INSURANCE IS REQUIRED FOR ALL EVENTS

WILL THE GROUP BE GOING INTO THE WATER IN ANY WAY, WADING, WALKING OR SWIMMING at the Beach? YES NO X

WILL THE GROUP HAVE ANY ACTIVITIES NEAR OR AROUND THE WATER (including Splash Pad) at the Beach YES NO X

IT IS THE GROUP SUPERVISOR'S RESPONSIBILITY TO CONTACT THE LIFEGUARD SUPERVISOR ON DUTY SO THAT ALL RULES AND REGULATIONS ARE CLEAR

IS A WATER SAFETY INSTRUCTOR OR A CERTIFIED LIFEGUARD ACCOMPANYING YOUR GROUP? YES NO X

If yes, name of person(s) _____ Each group should have accessible a list with all the children's names that are attending the outings for accountability in case of emergency.

ANY QUESTIONS ANSWERED YES, PLEASE EXPLAIN ON SEPARATE SHEET & ATTACH TO APPLICATION

APPLICANT'S SIGNATURE:

Jennifer Garry

DATE:

4/24/18

OFFICE USE ONLY

RECREATION & PARK COMMITTEE APPROVAL: YES NO

N/A

DATE:

COMMON COUNCIL APPROVAL:

YES

NO

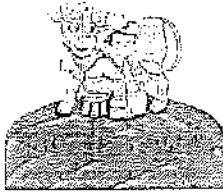
N/A

DATE:

DIRECTOR'S SIGNATURE:

(Signature required)

DATE:



100 Westport Ave Norwalk, CT 06851

April 11, 2018

Mr. Ken Hughes
City of Norwalk
Director of Recreation and Parks
125 East Avenue
Norwalk, CT 06850

Dear Mr. Hughes,

We are requesting the use of Andrew's Field, in order for our employees to park their cars there during the busiest days at Stew Leonard's. The dates we are requesting are listed below.

2018

June 30

July 1,2,3

November 20,21

December 1,2 8,9 22,23,24

2019

April 19,20

May 11,12

May 25,26,27

If you have any questions please feel free to contact me.

Thank You,

Mike D'Antonio
Stew Leonard's
Loss Prevention Manager
100 Westport Ave
Norwalk, CT 06851
(203)-750-6196
mdantonio@stewleonards.com

AGENDA

MAY 10, 2018

CLAIMS COMMITTEE MEETING

REFUNDS PROCESSED CLAIMS COMMITTEE
COMMITTEE

APPROVED BY TAX COLLECTOR

REPORTED TO CLAIMS

PAY TO:

BILL No & AMOUNT TO REFUND

REASON

ANDERSON, ERIK T	16-MV-302192 (\$83.18)	ABATEMENT
BRAYTON, LORI G	16-MV-306920 (\$43.70)	PRORATION
BROWN, GORDON NEILL	16-MV-307320 (\$224.89)	PRORATION
DAIMLER TRUST	15-MV-314869 (\$433.64)	PRORATIONS
	16-MV-315439 (\$424.11)	PRORATIONS
DAIMLER TRUST	16-MV-403200 (\$213.89)	PRORATION
JAMES G ROGERS ARCHI	16-MV-333315 (\$259.19)	PRORATION
FARRAR, TYLER J	15-MV-320569 (\$78.42)	PRORATION
KIRIAKIDOS THEODOROS	16-MV-336381 (\$21.99)	PRORATION
KIRIAKIDOS NIKOLAOS	16-MV-336373 (\$13.48)	PRORATION
MORENO-DESANCHEZ, BLANCA E	16-MV-345921 (\$227.84)	PRORATION
NISSAN INFINITI LT	16-MV-348576 (\$95.73)	PRORATION
NISSAN INFINITI LT	16-MV-348422 (\$144.29)	PRORATION & ABATEMENT
	16-MV-348591 (\$122.08)	PRORATION & ABATEMENT
NISSAN INFINITI LT	16-MV-348277 (\$311.05)	PRORATION
NISSAN INFINITI LT	16-MV-348253 (\$239.50)	PRORATION
NISSAN INFINITI LT	16-MV-348526 (\$181.58)	PRORATION
NISSAN INFINITI LT	16-MV-SEE BACK UP (\$1,620.55)	PRORATIONS
OCHOA-OCHOA, DAVID	16-MV-349378 (\$123.23)	ABATEMENT
ORTIZ, GLADYS	16-MV-350015 (\$216.00)	PRORATION
PETERS, ANITA OLGA JOY	16-MV-352287 (\$168.59)	PRORATION
RAGNO, MARILU	16-MV-411344 (\$37.26)	PRORATION
SANCHEZ, SUSANA ELIZABETH	16-MV-358413 (\$37.67)	PRORATION

VIII. B

MAY 10, 2018

AGENDA

CLAIMS COMMITTEE MEETING

REFUNDS PROCESSED CLAIMS COMMITTEE
COMMITTEE

APPROVED BY TAX COLLECTOR

REPORTED TO CLAIMS

PAY TO:

BILL No. & AMOUNT TO REFUND

REASON

SPIERS, WILLIAM R

16-MV-800692 (\$73.00)

PRORATION

TRIMARCHI, RICARDO

16-MV-413819 (\$63.66)

OVERPAYMENT

VW CREDIT LEASING LTD

16-MV-370156 (\$425.66)

PRORATION

VW CREDIT LEASING LTD

15-MV-366031 (\$262.65)

PRORATION & ABATEMENT

(\$786.37)

16-MV-370036 (\$523.72)

PRORATION & ABATEMENT

VW CREDIT LEASING LTD

15-MV-365837 (\$722.91)

ABATEMENT

VW CREDIT LEASING LTD

16-MV-370173 (\$184.84)

PRORATION

VW CREDIT LEASING LTD

16-MV-370304 (\$315.64)

PRORATION

CITIMORTGAGE, INC

ADD: 15 RICHMOND HILL RD

5-76B-111-0

16-RE-111495 (\$3,342.11)

OVERPAYMENT/DUP PYMT

CORELOGIC TAX SERVICE

ADD: 25 HERON RD #17

3-22-7-17

16-RE-101670 (\$149.76)

OVERPAYMENT / DUP PYMT

CORELOGIC TAX SERVICE

ADD: 370 ROWAYTON AVE

6-28C-4-0

16-RE-103227 (\$9,557.92)

OVERPAYMENT / DUP PYMT

AGENDA

MAY 10, 2018

CLAIMS COMMITTEE MEETING

REFUNDS PROCESSED CLAIMS COMMITTEE
COMMITTEE

PAY TO:

CORELOGIC TAX SERVICE
ADD: 401 ROWAYTON AVE
5-79-8-0

CORELOGIC TAX SERVICE
ADD: 31 MOREHOUSE
5-63-189-0

CORELOGIC TAX SERVICE
ADD: 2 WEST LAKE CT
5-61-124-0

CORELOGIC TAX SERVICE
ADD: 57 ROWAYTON WOODS DR #79
5-80-200-5/79

CORELOGIC TAX SERVICE
ADD: 11 HAWKINS AVE UNIT 1A
3-62-1-1A

APPROVED BY TAX COLLECTOR

BILL No & AMOUNT TO REFUND

16-RE-121854 (\$4,043.17)

16-RE-128734 (\$7,580.64)

16-RE-117261 (\$5,379.41)

16-RE-102594 (\$2,322.31)

16-RE-100944 (\$5,448.87)

REPORTED TO CLAIMS

REASON

OVERPAYMENT / DUP PYMT

OVERPAYMENT / DUP PYMT

OVERPAYMENT / DUP PYMT

OVERPAYMENT / DUP PYMT

OVERPAYMENT / DUP PYMT

AGENDA

MAY 10, 2018

CLAIMS COMMITTEE MEETING

REFUNDS PROCESSED CLAIMS COMMITTEE
COMMITTEE

PAY TO:

CORELOGIC TAX SERVICE
ADD: 151 HIGHLAND AVE
6-20B-1-0

CORELOGIC TX SERVICE
ADD: 201 SILVER CREEK LANE
5-43-43-201

CORELOGIC TAX SERVICE
ADD: 244 EAST ROCKS RD
5-24-3-0

CORELOGIC TAX SERVICE
ADD: 41 CEDAR CREST PLACE
5-64-236-0

CORELOGIC TAX SERVICE
ADD: 18 LEDGE RD
6-32B-28-0

APPROVED BY TAX COLLECTOR

REPORTED TO CLAIMS

BILL No & AMOUNT TO REFUND

REASON

16-RE-106048 (\$6,231.65)

OVERPAYMENT / DUP PYMT

16-RE-121235 (\$5,213.84)

OVERPAYMENT / DUP PYMT

16-RE-115560 (\$5,511.52)

OVERPAYMENT / DUP PYMT

15-RE-123917 (\$3,698.05)

OVERPAYMENT / DUP PYMT

16-RE-125773 (\$3,735.14)

OVERPAYMENT / DUP PYMT

(\$7,433.19)

16-RE-116437 (\$5,865.07)

OVERPAYMENT / DUP PYMT

AGENDA

MAY 10, 2018

CLAIMS COMMITTEE MEETING

REFUNDS PROCESSED CLAIMS COMMITTEE
COMMITTEE

APPROVED BY TAX COLLECTOR

REPORTED TO CLAIMS

PAY TO:

CORELOGIC TAX SERVICE
ADD: 13-CAROL DRIVE
5-1-66-0

BILL No & AMOUNT TO REFUND

16-RE-102014 (\$4,078.94)

REASON

OVERPAYMENT / DUP PYMT

FIRST COUNTY BANK

ADD: 300 FLAX HILL RD UNIT 13B
5-77-110-13B

16-RE-120860 (\$2,763.99)

OVERPAYMENT / DUP PYMT

GIDDIENS JOHN W SR LIVING TRUST,
GIDDIENS JOHN W SR TRUSTEE \$ GREEN
MARY LILIANA
RE: 39 HARBOR AVE
1-22-23-0

14-RE-110321 (\$2,624.00)
15-RE-110391 (\$2,565.00)
16-RE-110431 (\$2,551.00)
(S7,740.00)

REVISED SEWER USE FEE
REVISED SEWER USE FEE
REVISED SEWER USE FEE

PATRIOT BANK
ADD: 5 MOTT AVE
1-26-29-0

16-RE-109408 (\$6761.91)

PAID IN ERROR

AGENDA

MAY 10, 2018

CLAIMS COMMITTEE MEETING

REFUNDS PROCESSED CLAIMS COMMITTEE COMMITTEE

PAY TO:

WELLS FARGO REAL ESTATE TAX SERVICE
ADD: 33 1/2 CENTER AVE
1-90-22-0

BILL No & AMOUNT TO REFUND

16-RE-100536 (\$3,266.85)

REASON

OVERPAYMENT / DUP PYMT

REPORTED TO CLAIMS

APPROVED BY TAX COLLECTOR

SPECIAL

SUNTRUST MORTGAGE, INC
ADD: 24 HIGHLAND AVE
6-16-2-0

16-RE-103290 (\$11,010.96)

OVERPAYMENT / DUP PYMT

CORELOGIC TAX SERVICE
ADD: 81 ROTON AVE
6-10-16-0

16-RE-117191 (\$15,456.67)

OVERPAYMENT / DUP PYMT

CORELOGIC TAX SERVICE
ADD: 10 BITTERSWEET TRAIL
6-20D-8-0

16-RE-123159 (\$16,523.55)

OVERPAYMENT / DUP PYMT

NISSAN INFINITI LT

BILL #	PLATE #	VIN#	AMOUNT
16-347734	7AHPD9	1N4AL3AP6EC186972	\$ 240.62
16-347946	9AUJES1	JN1AR5EF8GM290157	\$ 687.09
16-348050	1AKWX6	1N4AL3AP1EN388977	\$ 65.61
16-348262	1AHJE3	3N1AB7AP1EY235669	\$ 131.12
16-348351	9AEEX7	5N1AT2MVXEC762587	\$ 213.74
16-348385	4AKVD6	1N4AL3AP2EC280380	\$ 109.41
16-373426	515ZBR	JN8AS5MVXCW391648	\$ 172.96

TOTAL \$1,620.55



CITY OF NORWALK, DEPARTMENT OF FINANCE
Tax Collector's Office

P: 203-854-7731 / F: 203-854-7770

125 East Avenue Room 105
Norwalk, Connecticut 06851
www.norwalkct.org

To: Mayor Harry Rilling; Board of Estimate and Taxation; Finance & Claims Committee
From: Lisa Biagiarelli, Tax Collector
Date: May 10, 2018
Re: Narrative for April, 2018 Tax Collector's Report

As of the end of April, 2018, ten months into the current fiscal year, we collected in excess of \$307 million, or **98.79%** of our \$311+ million adjusted tax levy. In addition, as of the end of April, 2018, we collected in excess of \$15 million of our sewer use levy, or **98.63%**. We also collected 86.97% of the year's IPP (Industrial Pretreatment Program) fee on behalf of the Water Pollution Control Authority. Compared with the prior fiscal year, we are slightly ahead with regard to both current taxes (.27%) and sewer use (.13%) collections. Also, through the month of April, 2018, we showed a net collection of more than \$4 million in back taxes, interest, lien fees and other fees. This amount is still less than we collected in the prior fiscal year at this time but we are quickly closing the gap. Please note in all cases where we are reporting collections, these figures are *net of refunds and credits* that had to be given due to court cases where taxpayers successfully appealed their assessment and were due money back. During this fiscal year we also have been dealing with a higher than usual number of overpayments, in some cases intentional, that were made in December 2017 and January 2018. As a result, our current collection percentages are still slightly overstated, because some of what we show as currently collected revenue still has to be refunded, although the majority of the refunds due to taxpayers have already been processed. These collection figures are net of those funds that have already been returned.

With regard to delinquent enforcement, in addition to issuing demand notices in February 2018 and filing lien continuing certificates in March 2018, we have been working with the Department of Health to check for back taxes prior to health permit renewal, as several categories of health permits renewed in January. Establishments that owe back taxes for more than one year are not allowed to renew their health permit without paying their back taxes. However at this time most of our enforcement has focused on real estate included in the tax sale.

As of last month's Finance and Claims meeting, we had collected \$1.6 million towards this year's tax sale goal, with 36 accounts having been paid in full since we started working on the sale in November 2017. Subsequent to that meeting, we sent formal demands to property owners involved, and thereby 'officially' started the sale process that will culminate in the public auction on July 23, 2018. Those demands had a pay-by date of the end of April. As of May 4, we had collected \$2.6 million, with 81 accounts paid in full. We still have about 90 properties left in the sale. I will file the notices of sale on the land records on Monday, May 14. The first legal notice of sale will be published on Thursday, May 17. The website will go live, and a mailing of the actual notices that we file will go out next week, after the notices have been filed. We expect the sale to generate in excess of \$5 million.

This year, we were asked by the Corporation Counsel's office to add into the tax sale a number of properties on which blight and zoning fees are due. We met with the building department, the blight enforcement officer and with zoning staff, and are seeking to collect also on 12 blight liens, 8 zoning liens, and one health department relocation lien, in addition to the taxes and sewer charges that are due. These assorted charges added in excess of \$650,000 to the tax sale collectible.

Maintaining a high current collection rate by efficiently enforcing collection of past due taxes allows our budget making authorities to set lower mill rates, because there can be less of an 'allowance' for anticipated uncollectibles in the coming fiscal year. When taxpayers fail to pay on time, the city is nonetheless committed to spending to bring to fruition all of the programs planned for that fiscal year. Because not everybody will pay on time, mill rates are set slightly higher, to allow for 'uncollected taxes'. However, if we keep the current tax collection rate high, that 'uncollectible' amount can be less. This is tax relief for every single taxpayer, and arguably the best form of tax relief, because it affects everybody.

The Board of Estimate and Taxation set the tax rates on Monday, May 7, and we are now in the process of working with the Assessor's office personnel to initiate the processes that will generate the new tax bills that will be due on July 1 and payable by August 1, 2018. We seek to mail tax bills as early as possible in June in order to extend the number of weeks in the tax collection period, and to make it as convenient as possible for our taxpayers. There are a number of adjustments that need to be made before tax bills are ready for mailing, including the application of credits and adjustments due to tax relief programs for elderly and disabled resident homeowners, and various other abatements and credits. I will have more to report on the July 1, 2018 tax installment billing by the time of the next meeting.

**TAX COLLECTOR'S REPORT
APRIL 2018**

FISCAL YEAR 2017-2018 (2016 GRAND LIST)	ADJ. TAX COLLECTIONS			COLLECTION %	CORRECTED LEVY*	CHANGE IN LEVY	COLLECTION %
	ORIGINAL LEVY	JUN 17 - APR 18	JUN 17 - APR 18				
AUTOMOBILE-REGULAR	\$18,742,512.33	\$17,410,239.37	\$18,420,780.54	92.83%	\$18,420,780.54	(\$321,731.79)	94.51%
AUTOMOBILE-SUPPLEMENTAL	\$3,260,045.73	\$2,853,201.71	\$3,246,414.44	87.52%	\$3,246,414.44	(\$13,631.29)	87.89%
PERSONAL PROPERTY	\$20,774,746.28	\$20,378,326.48	\$21,004,357.94	98.09%	\$21,004,357.94	\$229,611.66	97.02%
REAL ESTATE	\$299,517,650.26	\$267,015,687.04	\$266,742,190.66	99.07%	\$266,742,190.66	(\$775,459.60)	99.36%
TOTAL TAX	\$312,294,954.60	\$307,657,454.60	\$311,413,743.58	98.52%	\$311,413,743.58	(\$881,211.02)	98.79%
SEWER USE	\$15,371,862.00	\$15,262,731.89	\$15,494,610.00	99.42%	\$15,494,610.00	\$122,958.00	98.63%
IPP FEE	\$204,250.00	\$166,766.34	\$214,750.00	91.44%	\$214,750.00	\$10,500.00	86.97%
FISCAL YEAR 2016-2017 (2015 GRAND LIST)							
AUTOMOBILE-REGULAR	\$17,749,640.53	\$16,560,020.11	\$17,592,427.34	93.41%	\$17,592,427.34	(\$157,213.19)	94.25%
AUTOMOBILE-SUPPLEMENTAL	\$3,315,742.19	\$2,836,717.06	\$3,245,870.03	85.55%	\$3,245,870.03	(\$69,872.16)	87.39%
PERSONAL PROPERTY	\$19,959,243.96	\$19,524,013.82	\$19,974,884.10	97.82%	\$19,974,884.10	\$15,640.14	97.74%
REAL ESTATE	\$265,387,336.38	\$262,133,352.62	\$264,767,186.77	98.77%	\$264,767,186.77	(\$620,149.61)	99.01%
TOTAL TAX	\$306,411,963.06	\$301,074,103.61	\$305,580,368.24	98.26%	\$305,580,368.24	(\$831,594.82)	98.53%
SEWER USE	\$15,359,855.00	\$15,137,722.36	\$15,337,115.63	98.36%	\$15,337,115.63	(\$22,739.37)	98.50%
IPP FEE	\$212,250.00	\$190,424.19	\$211,750.00	89.72%	\$211,750.00	(\$500.00)	89.93%
TAX DIFFERENCE 2016 G.L. vs. 2015 G.L. INCREASE/(DECREASE)							
	\$5,842,991.54	\$5,583,350.99	\$5,833,375.34	0.26%	\$5,833,375.34	(\$49,616.20)	0.27%

SEWER DIFFERENCE 2016 G.L. vs. 2015 G.L. INCREASE/(DECREASE)	\$11,797.00	\$175,009.53	\$157,494.37	1.06%	\$157,494.37	\$145,697.37	0.13%
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IPP DIFFERENCE 2016 G.L. vs. 2015 G.L. INCREASE/(DECREASE)	(\$9,000.00)	(\$3,657.85)	\$3,000.00	1.72%	\$3,000.00	\$11,000.00	-2.96%
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BACK TAXES COLLECTED	FISCAL YR 2017-2018		FISCAL YR 2016-2017		CUR YR vs PRIOR YR (INC/DECI)
	JUL 17 - APR 18	JUL 17 - APR 18	JUL 16 - APR 17	JUL 16 - APR 17	
PRIOR TAXES	\$2,337,251.43	\$2,337,251.43	\$2,369,287.84	\$2,369,287.84	(\$32,006.41)
PRIOR SEWER USE FEE	\$25,151.86	\$25,151.86	\$63,836.38	\$63,836.38	(\$38,684.52)
PRIOR IPP FEE	\$9,386.37	\$9,386.37	\$17,012.10	\$17,012.10	(\$7,625.73)
TOTAL PRIOR TAX, SEWER & IPP	\$2,371,819.66	\$2,371,819.66	\$2,450,136.32	\$2,450,136.32	(\$78,316.66)
CURRENT INTEREST	\$670,076.08	\$670,076.08	\$698,132.85	\$698,132.85	(\$28,057.77)
PRIOR INTEREST	\$741,761.40	\$741,761.40	\$726,918.90	\$726,918.90	\$14,842.50
SEWER USE FEE INTEREST	\$71,168.51	\$71,168.51	\$59,728.99	\$59,728.99	\$11,439.52
IPP FEE INTEREST	\$5,445.62	\$5,445.62	\$7,459.64	\$7,459.64	(\$2,004.02)
TOTAL INTEREST COLLECTED	\$1,488,450.51	\$1,488,450.51	\$1,492,230.28	\$1,492,230.28	(\$3,779.67)
PRIOR LIEN FEE	\$13,124.08	\$13,124.08	\$20,280.64	\$20,280.64	(\$7,156.56)
CURRENT LIEN FEE	\$5,848.54	\$5,848.54	\$4,689.09	\$4,689.09	\$1,061.45
TOTAL LIEN FEE COLLECTED	\$18,770.62	\$18,770.62	\$24,855.73	\$24,855.73	(\$5,085.11)
MISC FEES COLLECTED**	\$145,003.80	\$145,003.80	\$180,006.55	\$180,006.55	(\$32,002.75)
TOTAL PRIOR TAX, ALL INTEREST & ALL FEES	\$4,027,044.59	\$4,027,044.59	\$4,147,238.89	\$4,147,238.89	(\$120,194.20)

* CORRECTED LEVY INCLUDING CERTIFICATES OF CORRECTION
 ** PRIOR & CURRENT FISCAL YEAR INCLUDES TAX SALE AND TITLE SEARCH FEES PROCESSED THRU MUNIS

**SECTION A
SPECIAL APPROPRIATIONS**

**City of Norwalk Board of Estimate and Taxation
May 7, 2018**

2. Special Appropriations Agenda

ADVERTISED ITEM:

FISCAL YEAR 2017-18:

Approved

1. RESOLVED, that a sum not to exceed \$1,200,000 be and the same is hereby transferred from Fund Balance to fund a Special Education's Development Fund representing the final payment of the three year Memorandum of Understanding between the Board of Education and the City of Norwalk.

Approved

2. RESOLVED, that a sum not to exceed \$1,345 be and the same is hereby transferred from Increased Revenues from the State of Connecticut Library to the Norwalk Public Library.



CITY OF NORWALK, DEPARTMENT OF FINANCE
Office of the Director

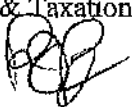
P: 203-854-7870 / F: 203-854-7848

125 East Avenue, PO BOX 5125
Norwalk, CT 06856-5125

MEMORANDUM

DATE: May 2, 2018

TO: Members of the Board of Estimate & Taxation

FROM: Robert Barron, Director of Finance 

RE: Special Appropriation – Board of Education Special Education Development Fund

This \$1.2 million Special Appropriation request is to fund the third year of the Norwalk Board of Education's Special Education Development Fund. The City of Norwalk and the Norwalk Board of Education signed a three-year (FYE 17-FYE 19) Memorandum of Agreement in June 2016 memorializing the duties of each entity towards the \$3.6 million funding plan.

The funding plan is intended to help the Norwalk Board of Education address the priority recommendations of the special education audit conducted by the Capitol Region Education Council (CREC) in November 2015. The City of Norwalk approved a special appropriation of \$1.1 million in June 2016 to fund FYE 17, the first year of the plan. The City's Board of Education funded the second year of the plan, FYE 18.

This appropriation of \$1.2 million will complete the \$3.6 million funding outlined in the Memorandum of Agreement. The funds will be drawn from Fund Balance.

Finance recommends approval.

Education has committed to making such expenditures during the three full fiscal years following execution of this Agreement (i.e., FY 2016-2017, FY 2017-2018, and FY 2018-2019). The Board of Education shall expend approximately \$1.2 million during each such fiscal year in furtherance of the Plan to address the priority recommendations of the CREC audit.

Obligations of the City of Norwalk

3. To ensure the availability of funding sufficient to implement the Plan the City shall make a contribution of \$1.1 million by June 30, 2016, through a special appropriation, to the Board of Education's "SPED Development Fund Org Code" Account 15652000-xxx-56 for the purpose of funding the Plan. By approving and executing this Agreement, the City agrees to take all necessary action required under state and local law, regulation, rule, policy or ordinance, to approve such supplemental appropriation. By executing this Agreement, the City acknowledges and agrees that no issue related to the availability of funding to fulfill the obligations set forth herein presently exists. The Parties acknowledge that The Board of Education has taken all necessary action required under state and local law, regulation rule, policy and ordinance, to appropriately request such supplemental appropriation from the City.

4. The supplemental appropriation made by the City to the Board of Education pursuant to Paragraph 3 of this Agreement shall be expended by the Board of Education during FY 2016-2017 in support of the Plan. To ensure the availability of the funding appropriated by the City of Norwalk to the Board of Education (and to be provided by the Board of Education as set forth in Section 5 below) during FY 2016-2017 and FY 2017-2018, and to prevent the lapsing of the funds so provided back to the City at the end of FY 2015-2016 and FY 2016-2017, the Board of Estimate and Taxation shall vote, in accordance with C.G.S. §10-248a (the text of which is included as Attachment A), to establish a non-lapsing account for the deposit of unexpended funds appropriated to the Board of Education pursuant to Paragraph 3 during the fiscal year ending June 30, 2016 (FY 2015-2016) and provided by the Board of Education pursuant to Paragraph 5 during the fiscal year ending June 30, 2017 (FY 2016-2017).

Obligations of the Board of Education

5. To ensure the availability of funding sufficient to address the priority recommendations of the CREC audit, the Board of Education shall contribute \$1.3 million to support the Plan, in FY 2016-2017. The Board of Education shall make such contribution by placing said funds into a separate "SPED Development Fund Org Code" Account 15652000-xxx-56.

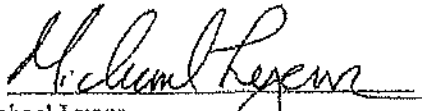
6. The Board of Education shall expend all funding contributed by the City pursuant to Paragraph 3 of this Agreement and by the Board of Education pursuant to Paragraph

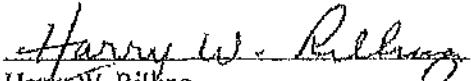
remaining terms and provisions that are not affected thereby shall remain in full force and effect.

In Witness Whereof, the parties hereto subscribe their names on the date and year first above written.

NORWALK BOARD OF EDUCATION
By its Chairperson

CITY OF NORWALK, CONNECTICUT
By its Mayor


Michael Lyons


Harry W. Rilling

Date hK';f / /

Date 70/29/12

ATTACHMENT B

Special Education Development Fund
2016-17 through 2018-19
\$3.6M
(\$1.2M per year for three years)
The Fund Sunsets at the Conclusion of the 2018-19 SY

Purpose

The Special Education Development Fund shall be used exclusively for the purpose of implementing the priority recommendations of the 2015 GREC Audit/Review of Norwalk Special Education Services. The Fund will enable the development of new service delivery models and programs for specialized instruction necessary to provide Norwalk students with special needs a full continuum of Scientifically Research Based interventions (SRBI).

Current services are skewed toward over-reliance on one-on-one paraprofessional services (Aides and ABAs) and contractual services (out-of-district placements). It is necessary to create a continuum of professional services within the District and a service delivery model for each placement category before students can be transitioned from their current EP-mandated placements. The Fund entails a greater investment in special education teachers while paraprofessional services and contracted expenditures are reduced and repurposed over a three-year period of time.

Anticipated expenditures include: funding Special Education Case Managers at each elementary school; management of outside placements; more robust defensive legal capacity; creation of "model school" sites at each level demonstrating a full continuum of services; development of a staff training capacity; developing general education solutions for 504 Plans and adaptive technology; and recruitment and retention of high quality professional staff. Moreover, the fund will be used to develop new roles, programs and systems, and provide training, and development of special education staff at all levels to improve the scope and quality of specialized instruction.

The fund would sunset in three years once the goals of program restructuring and budget repurposing were met. Expenditures of the funds would be transitioned into the Operating Budget and/or funded by dollars currently expended on less cost-effective services.

Tentative Allocation Plan: 2016-17 SY

(Subject to review of current data, review by the BOE Ad Hoc Committee or on Special Education, consultation with the Norwalk Federation of Teachers and approval by the Board of Education.)

Furnishings and equipment at Norwalk High School and Wolcott Elementary School for the return of three out-placed classes (ED and Autism) to Norwalk for 2016-17	\$50,000
Implement one elementary school demonstration and training site offering of full-continuum services for 2016-17	\$200,000
Establish the extra-duty positions of Special Education School Compliance and Quality Case Managers in elementary schools for 2016-17	\$300,000
Manager of Outside Placements (self-funding beyond 2018-19)	\$150,000
Evaluation/Assessment Coordinator	\$100,000
Elementary to middle grades enrollment growth of EP-related professional services	\$200,000
Special Education Teacher <i>Teach-to-One</i> Math Program, 6-8	\$100,000
Professional Development	\$100,000
TOTAL	\$1,200,000.00

Tentative Allocation Plan: 2018-19 SY

(Subject to review of current data, review by the BOE Ad Hoc Committee on Special Education, consultation with the Norwalk Federation of Teachers and approval by Board of Education.)

Return additional out-placed classes to the District (TBD) \$300,000

Implement high school demonstration and training site

offering a full continuum of services \$200,000

Special Education School Compliance and
Quality Case Managers in elementary schools (1/2 funding) \$150,000

Special Education School Compliance and
Quality Case Managers in middle schools \$200,000

Assumption of 504 plans/adaptive technology by T Department \$100,000

Evaluation/Assessment Coordinator (1/2 funding) \$50,000

Professional Development (1/2 funding) \$50,000

Special Education Office Support Staff \$150,000

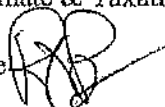
TOTAL \$1,200,000.00



CITY OF NORWALK, DEPARTMENT OF FINANCE
Office of the Director

P: 203-854-7870 / F: 203-854-7848
125 East Avenue, PO BOX 5125
Norwalk, CT 06856-5125

MEMORANDUM

DATE: May 2, 2018
TO: The Members of the Board of Estimate & Taxation
FROM: Robert Barron, Director of Finance 
RE: Special Appropriation – Norwalk Public Library Grant

The Norwalk Public Library is requesting a Special Appropriation to increase revenues and expenditures by \$1,345. The Library recently received \$1,345 from the Connecticut State Library under the BorrowIT CT, formerly the Connecticard Program.

The BorrowIT CT is a cooperative program among public libraries in Connecticut. The program allows a resident of any town in the state who holds a valid borrower card issued by their home library to use that card to borrow materials from any of the 192 public libraries participating in the program. BorrowIT CT grant payments must be spent by the library and may not revert to the General Fund for non-library purposes. The funds will be allocated to revenue account 016200-4119 and expenditure account 016200-5323.

Finance recommends approval.

Asmani, Lunda

From: Chris Bradley <cbradley@norwalkpubliclibrary.org>
Sent: Friday, April 27, 2018 2:10 PM
To: Asmani, Lunda
Subject: State Library grant appropriation

Hi Lunda,

The Norwalk Public Library is requesting a special appropriation of \$1,345 so that we can spend grant receipts from the Connecticut State Library. The State Aid payments and Connecticard payments are two grants provided by the Connecticut State Library to all eligible Connecticut public libraries. We received the Connecticard grant which is a cooperative program among public libraries in Connecticut that allows a resident of any town in the state who holds a valid borrower card issued by their home library to use that card to borrow materials from any of the 192 public libraries participating in the program. The grant requires that these funds only be used for library purposes. Kindly increase our revenue budget 016200-4119 and expenses budget 016200-5323 by \$1,1345.

Thanks,

Chris

Christine Bradley
Director, Norwalk Public Library System



1 Belden Avenue
Norwalk, CT 06850
203-899-2780 ext. 15126
cbradley@norwalkpubliclibrary.org

**401 Governmental Money Purchase
Plan & Trust Basic Document**



ICMARC

ICMA RETIREMENT CORPORATION
GOVERNMENTAL MONEY PURCHASE PLAN & TRUST
BASIC DOCUMENT

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as elected by the Participant. The Employer may limit the amount of Accrued Leave to be elected to be contributed to the Plan. Once elected, an Employee's election shall remain in force and may not be revised or revoked.

The Employee Designated Accrued Leave Contributions shall be accounted for in the Participant Contribution Account, and are nonforfeitable by the Participant at all times.

The Employee Designated Accrued Leave Contributions shall be "picked up" by the Employer in accordance with Code section 414(h)(2). The contributions shall be treated as an employer contribution in determining the tax treatment under the Code, and shall not be included as gross income of the Participant until it is distributed.

A Participant cannot elect to receive cash in lieu of any Accrued Leave Contribution.

19.3 Equivalencies. The Accrued Leave Contribution shall be determined by multiplying the Participant's current daily rate of pay from the Employer times the amount of accrued unpaid leave being converted.

19.4 Excess Contributions. Accrued Leave Contributions are limited to the extent of applicable law and any Code limitation. No Accrued Leave Contribution shall be made to the extent that it would exceed the applicable Code section 415 limitation, as set forth in Article V. Any excess contributions as a result of the Code section 415 limitation shall remain in the Participant's leave bank.

XX. Liability

Neither the Employer nor the Administrator shall be liable for losses arising from depreciation or shrinkage in the value of any investments acquired under this Plan. No member of the Defined Contribution Board, nor any other person involved in the administration of the Plan shall be liable to any person on account of any act or omission in good faith in performing their respective duties under the terms of the Plan. To the extent permitted by law, except in matters involving a violation of his or her fiduciary duties, criminal liability and intentional or willful misconduct, the City shall indemnify and hold harmless members of the Defined Contribution Board from any and all liability and expenses, including counsel fees, reasonably incurred in any action, suit, or proceeding to which he/she is or may be a party by reason of being or having been a member of the Defined Contribution Board. If the City purchases insurance to cover claims of a nature described above, then there shall be no right of indemnification except to the extent of any deductible amount under the insurance coverage or to the extent of the amount the claims exceed the insured amount.

XXI. The Defined Contribution Board shall be the designated fiduciary of the Plan

The Defined Contribution Board as defined in Norwalk's City Code shall be designated fiduciary of the Plan. The Defined Contribution Board shall be responsible for establishing, monitoring, evaluating, overseeing, revising and administering the Plan. The Defined Contribution Board shall monitor, evaluate, oversee, revise and administer the Plan in compliance with the Connecticut Uniform Prudent Investor Act, Conn. Gen. Stats. §§ 45a-451 through 45a-541i, as amended.

Chapter 21. Billboards and Signs

Article II. Signs on Streets and Highways

§ 21-19. Permits required; fee.

- A. The Traffic Authority, subject to the conditions set out below, shall issue permits for signs intended to inform the public of the existence or location of the following:
1. Public or nonprofit museums and places of historical or cultural interest which are open to the public.
 2. Public or nonprofit schools and colleges.
 3. Governmental buildings or departments.
 4. Public parks, beaches or recreation areas.
 5. Public or nonprofit hospitals, clinics or treatment centers.
 6. Enterprise Zone boundaries.
[Added 6-28-1983]
 7. Neighborhood crime watch areas.
[Added 6-28-1983]
 8. No more than seven (7) signs for each farm, as defined in Connecticut General Statutes § 1-1(q), within the City of Norwalk. These farm signs may only be erected and/or displayed between June 1 and October 31 of each calendar year.
- B. No permit for a sign shall be issued until an application therefor on forms provided by the Traffic Authority shall have been submitted to the Authority and a fee of \$5.00 paid; no fee shall be required if the applicant is any agency or department of the City of Norwalk.

§ 21-21. Requirement for signs.

Except as otherwise determined by the Traffic Authority, each sign shall meet the following minimum requirements:

- A. Shape: Rectangular and one of the following dimensions: 12 inches by 24 inches, 18 inches by 24 inches.
- B. Color: Blue background with white legend and border.
- C. Clearance: A minimum clearance height of seven feet to the bottom of the sign where there are sidewalks or footpaths; a minimum clearance of five feet from the bottom of the sign where there is vehicular traffic only.
- D. Setback: The outer edge of each sign shall not be less than one foot from the curb or outer edge of the footpath. Where there are no sidewalks or footpaths, the outer edge of

the sign shall be not less than two feet from the edge of the paved or traveled portion of the street or highway.

- E. Legend: Signs shall not bear language or design which resembles those used in traffic control devices.
- F. Structure: Signs and channel post mounts shall meet the design standards equal to those used by the City of Norwalk Traffic Engineering Department.

Chapter 21. Billboards and Signs

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- E. Legend: Signs shall not bear language or design which resembles those used in traffic control devices.
- F. Structure: Signs and channel post mounts shall meet the design standards equal to those used by the City of Norwalk Traffic Engineering Department.

Chapter 103. Taxation

Article III. Tax Relief for the Elderly and Disabled Homeowners

§ 103-6. Eligibility.

- F. All permanent residents in the domicile who are aged 25 years and older and who occupy such domicile for more than 200 days of each year shall have combined annual aggregate adjusted gross income, as defined in the Internal Revenue Code of 1954, as amended, plus tax exempt interest per Section 103 of the Internal Revenue Code of 1954, as amended, social security benefits, railroad retirement benefits and income from other tax-exempt sources of an amount less than 150.70% of the maximum qualifying income defined in Connecticut General Statutes, Section 12-170aa, for the Grand List of October 1, 1999, this amount shall be \$33,500. The amount shall be adjusted annually as provided by Section 12-170aa(2) for the calendar year immediately preceding the year for which tax relief is sought and shall be posted in the office of the Assessor.

§ 103-12. Amount of benefits; annual adjustment.

[Amended 3-27-2001; 4-27-2004; 2-26-2008; 3-22-2011; 10-28-2014; 4-12-2016; 2-28-2017]

Any individual or married couple eligible for tax relief as provided by this article, having income as provided in § 103-6F of this article, shall be entitled to tax relief as follows:

- A. For the 2017 grand list and all subsequent tax years:
1. Tier 1: 117.44% of maximum qualifying state income: \$1,450.
 2. Tier 2: 117.44% to 150.70%; \$800, except that, if the maximum credits granted under the provisions of this program shall exceed an amount equal to ½% of the total property tax assessed in Norwalk in the preceding fiscal year, then the amount of benefits for Tier 2 shall be adjusted by subtracting the total amount of benefits for Tier 1 from the maximum tax relief allowed under the program pursuant to § 103-9, leaving a balance of tax relief available to Tier 2. The amount of benefits for each Tier 2 recipient shall be calculated by dividing the remaining funding for tax relief available to Tier 2 by the total number of eligible persons in Tier 2.

Chapter 103. Taxation

Article III. Tax Relief for the Elderly and Disabled Homeowners

§ 103-6. Eligibility.

- F. All permanent residents in the domicile who are aged 25 years and older and who occupy such domicile for more than 200 days of each year shall have combined annual aggregate adjusted gross income, as defined in the Internal Revenue Code of 1954, as amended, plus tax exempt interest per Section 103 of the Internal Revenue Code of 1954, as amended, social security benefits, railroad retirement benefits and income from other tax-exempt sources of an amount less than 150.70% of the maximum qualifying income defined in Connecticut General Statutes, Section 12-170aa, for the Grand List of October 1, 1999, this amount shall be \$33,500. The amount shall be adjusted annually as provided by Section 12-170aa(2) for the calendar year immediately preceding the year for which tax relief is sought and shall be posted in the office of the Assessor.

§ 103-12. Amount of benefits; annual adjustment.

[Amended 3-27-2001; 4-27-2004; 2-26-2008; 3-22-2011; 10-28-2014; 4-12-2016; 2-28-2017]

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Chapter ____: Prohibiting Natural Gas Waste and Oil Waste from Natural Gas Extraction Activities within the City of Norwalk

A. Purpose

The purpose of this ordinance is to protect the health, safety, welfare and property of the residents of the City of Norwalk (hereinafter the "City") pursuant to the provisions of § 7-148 of the Connecticut General Statutes, as amended, by prohibiting the waste associated with drilling and extraction of natural gas and oil from being used, accepted, received, collected, stored, treated or transferred for any purpose on any road or real property in the City.

B. Definitions

- 1) **Application:** The physical act of placing or spreading Natural Gas Waste or Oil Waste on any road or real property located within the City.
- 2) **Hydraulic Fracturing:** The fracturing of underground rock formations, including shale and non-shale formations, by man-made fluid-driven techniques for the purpose of stimulating oil, natural gas, or other subsurface hydrocarbon production.
- 3) **Natural Gas Extraction Activities:** All geologic or geophysical activities related to the exploration for or extraction of natural gas, including, but not limited to, core and rotary drilling and hydraulic fracturing.
- 4) **Natural Gas Waste:**
 - a. Any liquid or solid waste or its constituents that is generated as a result of Natural Gas Extraction Activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants;
 - b. Leachate from solid wastes associated with Natural Gas Extraction Activities;
 - c. Any waste that is generated as a result of or in association with the underground storage of natural gas;
 - d. Any waste that is generated as a result of or in association with liquefied petroleum gas well storage operations; and
 - e. Any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.
- 5) **Oil Extraction Activities:** All geologic or geophysical activities related to the exploration for or extraction of oil, including, but not limited to, core and rotary drilling and hydraulic fracturing.

6) Oil Waste:

- a. Any liquid or solid waste or its constituents that is generated as a result of Oil Extraction Activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants;
- b. Leachate from solid wastes associated with Oil Extraction Activities; and
- c. Any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.

C. Prohibitions

- 1) The Application of Natural Gas Waste or Oil Waste, whether or not such waste has received Beneficial Use Determination or other approval for use by the State of Connecticut Department of Energy and Environmental Protection (DEEP) or any other regulatory body, on any public road or public real property located within the City for any purpose is prohibited.
- 2) The introduction of Natural Gas Waste or Oil Waste into any wastewater treatment facility within or operated by the City is prohibited.
- 3) The introduction of Natural Gas Waste or Oil Waste into any solid waste management facility within or operated by the City is prohibited.
- 4) The storage, disposal, sale, acquisition, transfer, handling, treatment, and/or processing of Natural Gas Waste or Oil Waste within the City is prohibited.

D. Provision to be included in bids and contracts related to the construction or maintenance of publicly owned and/or maintained roads or real property within the City.

- 1) All requests for bids or proposals and contracts related to the performance of services for the construction, renovation, rehabilitation or maintenance of any public work, public roadway or public real property, including infrastructure work or capital improvement, within the City shall include a provision stating that no materials containing Natural Gas Waste or Oil Waste shall be utilized in the performance of any service on behalf of the City.
- 2) All bids or proposals and contracts related to the purchase or acquisition of materials to be used in connection with the construction, renovation, rehabilitation, or maintenance of any public work, public roadway or public real property, including infrastructure work or capital improvement, within the City shall include a provision prohibiting the use or provision of any materials containing Natural Gas Waste or Oil Waste.
- 3) The following statement shall be sworn by an officer or other individual with appropriate authority under penalty of perjury and shall be included in all bids or proposals related to the purchase or acquisition of materials to be used in connection with the construction, renovation, rehabilitation, or maintenance of any public work, public roadway, or public

real property, including infrastructure work or capital improvement, within the City and all bids related to the retention of services to construct, renovate, rehabilitate or maintain any public work, public roadway, public real property, including infrastructure or capital improvement, within the City:

"I/We, _____, hereby certify under penalty of perjury that in connection with this submission of a bid for materials, equipment and/or labor to the City, Project Number _____, no Natural Gas Waste or Oil Waste (as defined in Chapter ____ of the Norwalk City Code) will be used by the undersigned bidder or any contractor, sub-contractor, agent or vendor agent in connection with the performance of any contract related to such bid, if awarded."

E. Penalties for Offenses

- 1) This ordinance shall apply to any and all actions occurring on or after the effective date of this ordinance. In response to a violation of this ordinance, the City is empowered to:
 - a. Issue "Cease and Desist" orders demanding abatement of the violation of the prohibitions and provisions stated in this ordinance.
 - b. Seek any appropriate legal relief, including immediate injunctive relief, as a result of any violation of this ordinance.
 - c. File a complaint with any other proper authority.
 - d. Require remediation of any damage done to any land, road, building, aquifer, well, watercourse, air quality or other asset, be it public or private, within the City.
 - e. Recoup from the offending person(s) or business entity(ies), jointly and severally, all costs, including experts, consultants and attorney's fees, that it incurs as a result of having to prosecute or remediate any infraction of this ordinance.
 - f. Issue citations in the maximum amount permitted under Norwalk City Code for any violation of this section and seek any other remedies allowable under the law.

F. Enforcement

- 1) The City shall issue orders and other directives under this ordinance. In addition to any equitable relief available, this Chapter shall be enforced by citations issued by the City. Any designee authorized by the Common Council and approved by the Mayor shall enforce this ordinance. These designees, include but are not limited to the Norwalk Police Department, Norwalk Fire Department, Department of Public Works, Health Department, Purchasing Department and Conservation Commission are empowered by the City to issue said orders, directives and citations.
- 2) City employees, officers and officials are not required to personally carry out testing of waste products to determine chemical contents, as this work may be done via contacting the State of Connecticut Department of Energy and Environmental Protection or an appropriate analytical laboratory or laboratories. If appropriate, the City may request that

the State of Connecticut Department of Energy and Environmental Protection pursue civil penalties allowable under the law.

G. Severability

If any clause, sentence, paragraph, subdivision, section, or part of this ordinance or the application thereof to any person, individual, private corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this ordinance or in its application to the person, individual, private corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered. To further this end, the provisions of this ordinance are hereby declared to be severable.

H. Conflicts with other Ordinances or Codes

In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of the City, the provision that establishes the higher standard for the protection of the health, safety, welfare, and property of the residents of the City shall prevail. In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of the City, which other ordinance or code establishes a lower standard for the protection of the health, safety, welfare, and property of the residents of the City, the provisions of this ordinance shall be deemed to prevail.

I. Transportation

Nothing in this ordinance shall be interpreted to ban the transportation of any Natural Gas Waste or Oil Waste on any roadway or real property within the City.

Chapter ____: Prohibiting Natural Gas Waste and Oil Waste from Natural Gas Extraction Activities within the City of Norwalk

A. Purpose

The purpose of this ordinance is to protect the health, safety, welfare and property of the residents of the City of Norwalk (hereinafter the "City") pursuant to the provisions of § 7-148 of the Connecticut General Statutes, as amended, by prohibiting the waste associated with drilling and extraction of natural gas and oil from being used, accepted, received, collected, stored, treated or transferred for any purpose on any road or real property in the City.

B. Definitions

- 1) **Application:** The physical act of placing or spreading Natural Gas Waste or Oil Waste on any road or real property located within the City.
- 2) **Hydraulic Fracturing:** The fracturing of underground rock formations, including shale and non-shale formations, by man-made fluid-driven techniques for the purpose of stimulating oil, natural gas, or other subsurface hydrocarbon production.
- 3) **Natural Gas Extraction Activities:** All geologic or geophysical activities related to the exploration for or extraction of natural gas, including, but not limited to, core and rotary drilling and hydraulic fracturing.
- 4) **Natural Gas Waste:**
 - a. Any liquid or solid waste or its constituents that is generated as a result of Natural Gas Extraction Activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants;
 - b. Leachate from solid wastes associated with Natural Gas Extraction Activities;
 - c. Any waste that is generated as a result of or in association with the underground storage of natural gas;
 - d. Any waste that is generated as a result of or in association with liquefied petroleum gas well storage operations; and
 - e. Any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.
- 5) **Oil Extraction Activities:** All geologic or geophysical activities related to the exploration for or extraction of oil, including, but not limited to, core and rotary drilling and hydraulic fracturing.

6) Oil Waste:

- a. Any liquid or solid waste or its constituents that is generated as a result of Oil Extraction Activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants;
- b. Leachate from solid wastes associated with Oil Extraction Activities; and
- c. Any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.

C. Prohibitions

- 1) The Application of Natural Gas Waste or Oil Waste, whether or not such waste has received Beneficial Use Determination or other approval for use by the State of Connecticut Department of Energy and Environmental Protection (DEEP) or any other regulatory body, on any public road or public real property located within the City for any purpose is prohibited.
- 2) The introduction of Natural Gas Waste or Oil Waste into any wastewater treatment facility within or operated by the City is prohibited.
- 3) The introduction of Natural Gas Waste or Oil Waste into any solid waste management facility within or operated by the City is prohibited.
- 4) The storage, disposal, sale, acquisition, transfer, handling, treatment, and/or processing of Natural Gas Waste or Oil Waste within the City is prohibited.

D. Provision to be included in bids and contracts related to the construction or maintenance of publicly owned and/or maintained roads or real property within the City.

- 1) All requests for bids or proposals and contracts related to the performance of services for the construction, renovation, rehabilitation or maintenance of any public work, public roadway or public real property, including infrastructure work or capital improvement, within the City shall include a provision stating that no materials containing Natural Gas Waste or Oil Waste shall be utilized in the performance of any service on behalf of the City.
- 2) All bids or proposals and contracts related to the purchase or acquisition of materials to be used in connection with the construction, renovation, rehabilitation, or maintenance of any public work, public roadway or public real property, including infrastructure work or capital improvement, within the City shall include a provision prohibiting the use or provision of any materials containing Natural Gas Waste or Oil Waste.
- 3) The following statement shall be sworn by an officer or other individual with appropriate authority under penalty of perjury and shall be included in all bids or proposals related to the purchase or acquisition of materials to be used in connection with the construction, renovation, rehabilitation, or maintenance of any public work, public roadway, or public

real property, including infrastructure work or capital improvement, within the City and all bids related to the retention of services to construct, renovate, rehabilitate or maintain any public work, public roadway, public real property, including infrastructure or capital improvement, within the City:

“I/We, _____, hereby certify under penalty of perjury that in connection with this submission of a bid for materials, equipment and/or labor to the City, Project Number _____, no Natural Gas Waste or Oil Waste (as defined in Chapter ____ of the Norwalk City Code) will be used by the undersigned bidder or any contractor, sub-contractor, agent or vendor agent in connection with the performance of any contract related to such bid, if awarded.”

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 - a. Issue “Cease and Desist” orders demanding abatement of the violation of the prohibitions and provisions stated in this ordinance.
 - b. Seek any appropriate legal relief, including immediate injunctive relief, as a result of any violation of this ordinance.
 - c. File a complaint with any other proper authority.
 - d. Require remediation of any damage done to any land, road, building, aquifer, well, watercourse, air quality or other asset, be it public or private, within the City.
 - e. Recoup from the offending person(s) or business entity(ies), jointly and severally, all costs, including experts, consultants and attorney’s fees, that it incurs as a result of having to prosecute or remediate any infraction of this ordinance.
 - f. Issue citations in the maximum amount permitted under Norwalk City Code for any violation of this section and seek any other remedies allowable under the law.

F. Enforcement

- 1) The City shall issue orders and other directives under this ordinance. In addition to any equitable relief available, this Chapter shall be enforced by citations issued by the City. Any designee authorized by the Common Council and approved by the Mayor shall enforce this ordinance. These designees, include but are not limited to the Norwalk Police Department, Norwalk Fire Department, Department of Public Works, Health Department, Purchasing Department and Conservation Commission are empowered by the City to issue said orders, directives and citations.
- 2) City employees, officers and officials are not required to personally carry out testing of waste products to determine chemical contents, as this work may be done via contacting the State of Connecticut Department of Energy and Environmental Protection or an appropriate analytical laboratory or laboratories. If appropriate, the City may request that

the State of Connecticut Department of Energy and Environmental Protection pursue civil penalties allowable under the law.

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I. Transportation

Nothing in this ordinance shall be interpreted to ban the transportation of any Natural Gas Waste or Oil Waste on any roadway or real property within the City.



VI. D

CITY OF NORWALK
Alan Lo, Buildings and Facilities Manager
alo@norwalkct.org P: 203-854-7877
Norwalk City Hall
125 East Avenue, PO Box 5125
Norwalk, CT 06856-5125

TO : MEMBERS OF COMMON COUNCIL

FROM: ALAN LO, BUILDINGS AND FACILITIES MANAGER *AL*

RE : CRANBURY SCHOOL BOILER REPLACEMENT PROJECT

DATE: MAY 15, 2018

As part of the 2017-2018 Capital Budget allocation for district wide school facilities improvement projects, \$1,378,000 was identified for Cranbury School improvements. Recently, we completed an electrical system evaluation as well as prepared technical specifications for the replacement of two HB Smith oil fired hot water boilers with associated equipment and controls. These boilers were installed in 1958.

As we considered the project schedule and timely delivery and installation of the boilers, we were concerned about our ability to complete the project by October 1, 2018. In an effort to expedite the schedule, we decided to solicit separate bids from boiler manufacturers/distributors for the supply of the boilers and separate bids from mechanical contractors for the installation of the boilers. Our goal is to expedite the delivery of the boilers and burners before end of July, leaving August and September to boiler installation.

Today, we received one bid from Commercial Heating Supply Co. in the amount of \$74,551.00 for the supply of the boilers. This bid is within our budget estimates and would hereby refer the bid to the Common Council for approval. Separately, bid opening for the installation work is schedule for May 25, 2018 and we will submit the bid summary to the Land Use and Building Management Committee on June 6, 2018.

Finally, please note that this project is partially funded through State's Alliance II grant in the amount of \$150,000.

ACTION REQUESTED:

- a. **Authorize the Purchasing Agent to issue a Purchase Order to Commercial Heating Supply, a division of Torrco Company for the purchase of boilers for the Cranbury School boilers replacement project for a total not to exceed \$74,551.00 Capital Budget Acct. #09185010 5777 C0610 and Norwalk Public Schools – State Alliance II Grant Acct. #28355200-430-25**
- b. **Authorize an allowance for change order for an amount not to exceed \$4,000.**

1.1 Response Form - # 3839 - Boiler Replacement - Cranbury Elementary School

Vendor Name - Commercial Heating Supply a division of Torzo		
Address - 25 Rachel Drive Stratford, Ct. 06615		
Phone - 1-800-777-4328	Fax - 203-378-9801	Email - ^{tony.berlinger@} commercialheat.com
Manager - Alan Longley		Fed ID# 06-0564910

The undersigned hereby declares that he has or they have carefully examined the plans, specifications and project site and has satisfied him as to all the quantities and conditions, and understands that in signing this proposal he waives all right to plead any misunderstanding regarding the same.

The undersigned further understands and agrees that he will furnish and provide all the necessary material, machinery, implements, tools, labor, services, and other items of whatever nature, and to do and perform all the work necessary under the aforesaid conditions, to carry out the contract and to accept in full compensation therefore the amount of the contract as agreed to by the Contractor and the City.

A. Boiler Replacement - Cranbury Elementary School

Total Lump Sum Bid	\$ 74,551 ⁰⁰
Total Lump Sum Bid in Words	seventy four thousand
five hundred fifty one dollars & ⁰⁰ / ₁₀₀	

Boiler Manufacturer HB Smith	Model Number ^② 28RTS-HE-11
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Bid Security in the form of a (check one) is attached.	☐ Bond	☒ Certified Check
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Submitted by - Printed Tony Berlinger	Signature: Tony Berlinger - Sales
Authorized Agent of Company (name and title)	Date: 5-11-18

The above signatory acknowledges receipt of the following addenda issued during the bidding period and understands that they are a part of the bidding documents (if applicable):

Addendum #	1	Dated	5-10-18	Addendum #		Dated	
Addendum #		Dated		Addendum #		Dated	

25 Rachel Drive
Stratford, CT 06615



(203) 386-1611
TOLL FREE (800) 777-4328
FAX (203) 378-9801

a division of
TORRICO

CRANBURY SCHOOL BOILER/BURNER REPLACEMENT

TWO SMITH 28RTS-HE-11 SECTION BOILERS, KNOCKED DOWN, RETURN STABILIZER TUBE WITH FLANGED CONNECTIONS, INSPECTION TAPPINGS WITH PLUGS IN ALL SECTIONS, HEATNET BOILER MANAGEMENT SYSTEM WITH PROTOCESSOR ACCESS, PROBE TYPE MANUAL RESET LOW WATER CUT OFF, POWERFLAME C3-O STRAIGHT OIL BURNER, UL, CSD-1, DIRECT SPARK IGNITION, 12000 VOLT IGNITION TRANSFORMER, FULL MODULATION OPERATION WITH CONTROLS, SINGLE POINT POWER SUPPLY, CIRCUIT BREAKER, NUMBERED AND COLOR CODED WIRING DIAGRAM, 10 YEAR BOILER SECTION WARRANTY, 2 YEAR BOILER CONTROL WARRANTY, 1 YEAR BURNER CONTROL WARRANTY.

\$27,588.00 EACH

\$55,116.00 TOTAL

PLEASE NOTE BID IS FOR SPECIFIED EQUIPMENT ONLY. INSTALLATION AND START UP BY OTHERS.

TWO TACO SFI3009 SELF SENSING END SUCTION BASE MOUNTED PUMPS, 335 GPM @ 50', 7.5 HP, 1760 RPM, 208/3PH, SELF SENSING PROGRAMMING VFD INCLUDED MOUNTED SEPARATELY IN THE MECHANICAL ROOM, DISCONNECT WITH THERMAL OVERLOAD PROTECTION

\$8,383.00 EACH

\$16,766.00 TOTAL

TWO SD050040RSP SUCTION DIFFUSER 5 X 4 (LINE SIZE ESTIMATED BY FLOW. MUST BE CONFIRMED)

\$917.00 EACH

\$1,834.00 TOTAL

5" X 11" S/S FLANGED FLEX CONNECTOR (LINE SIZE ESTIMATED BY FLOW. MUST BE CONFIRMED)

\$165.00 EACH

\$330.00 TOTAL

5" X 3" S/S REDUCING FLEX CONNECTOR (LINE SIZE ESTIMATED BY FLOW. MUST BE CONFIRMED)

\$252.50 EACH

\$505.00 TOTAL

Tony Berlingi 5-11-18