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. ..buts 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 APOINTMENT OF MICHAEL CHURCH AS A REGULAR ON THE ETHICS BOARD.
** MOTION PASSED UNANIMOUSLY.

Appointments – continued

Nora Niedzielski-Eichner, Ethics Board (Alternate)

Mr. Igneri 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 Easemei 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 an equipment during the Walk Bridge replacement project for a period of three (3) years, unless extinguished soone 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 Fro 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 anc 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 Decarlo & 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

8. 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. <u>Land Use & Building Management Committee</u>

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.

<u>Land Use Building Management – continued</u>

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.**

<u>Land Use & Building Management</u>
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: