

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

Special Meeting: January 14, 2020

III. PUBLIC PARTICIPATION

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS:

APPOINTMENTS: William J. Ford, Tax Assessor

REAPPOINTMENTS: Doris Ash, Assessment Board of Appeals, Alternate
Josephine Deupree, Assessment Board of Appeals, Alternate
Cindy Ellerman, Assessment Board of Appeals, Alternate
Judith Hyers, Assessment Board of Appeals, Alternate
Jane Ready, Assessment Board of Appeals, Alternate
John J. Bove, Water Pollution Control Authority

MAYOR'S REMARKS:

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS:

B. CONSENT CALENDAR:

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

A. CORPORATION COUNSEL

1. Anticipated Executive Session concerning leased property. Discussion of Memorandum of Assistant Corporation Counsel (Darin L. Callahan) dated January 14, 2020 pursuant to Conn. Gen. Stat. §§ 1-200(6)(E) and 1-210(b)(10).

EXECUTIVE SESSION

VII. COMMON COUNCIL COMMITTEES

A. ORDINANCE COMMITTEE

1. Approve revisions to the following sections of Chapter 32, Code of Ethics:
 - Section 32-16: Incurring of costs by Board of Ethics; staff.
 - Section 32-17: Representation of Respondent(s) by City.

B. FINANCE COMMITTEE

1. RESOLVED, that a sum not to exceed \$1,000,000, be and the same is hereby transferred from Fund Balance to Operating account 01-7029-5A0620 to provide matching funds for the YMCA build-out of the City owned property located at 98 South Main Street, subject to contract approval.

C. LAND USE AND BUILDING MANAGEMENT

1. Authorize the Mayor, Harry W. Rilling, to execute a lease agreement and all other necessary documents with The Riverbrook Regional Young Men's Christian Association, Inc. (YMCA) for the capital improvements, use/occupancy of the building and continued maintenance/repair/ improvement of City owned building located at 98 South Main Street. Terms of the lease agreement shall be as outlined in the Lease Term Sheet in memo prepared by Darin Callahan, Assistant Corporation Counsel dated November 27, 2019.

D. HEALTH AND PUBLIC SAFETY COMMITTEE

1. Authorize the Department of Public Works to have Eversource Electric to install one (1) new street on the existing utility pole at the southwest corner of the intersection of St. Paul's Place and Park Street in accordance with the attached plan at an approximate cost of \$20 per month, to be paid for from Account No. 0140 21-5241.

E. RECREATION, PARKS AND CULTURAL AFFAIRS

1. Technical Correction Item #VII.B.10 on the Common Council Agenda of January 14, 2020 which reads as follows: Authorize the Mayor, Harry W. Rilling, to enter into an agreement with Flowbird for the purchase of 4 CWTCC Pay Stations for an amount not to exceed \$30,740.00. Account #014150-5585

New Action Authorization Request:

Authorize the Mayor, Harry W. Rilling, to enter into an agreement with Cale America Inc DBA Flowbird for the purchase of 4 CWTCC Pay Stations for an amount not to exceed \$30,740.00. Account #014150-5585

X. MOTIONS POSTPONED TO A SPECIFIC DATE

X. SUSPENSION OF RULES

XI. ADJOURNMENT

REAPPOINTMENTS

BOARD OF ASSESSMENT APPEALS	M/C	CGS/NwkCht 1-271/NCC 103
DORIS M ASH (D) 61 Hills Lane Westport, CT 06880		Term Expires 11/01/2020 Alternate
JO DEUPREE (R) 35 Bettswood Road Norwalk, CT 06851		Term Expires 11/01/2020 Alternate
CINDY ELLERMAN (D) 61 Fair Street Norwalk, CT 06851		Term Expires 11/01/2020 Alternate
JUDITH G. HYERS (R) 199 Gregory Boulevard A2 Norwalk, CT 06855		Term Expires 11/01/2020 Alternate
JANE READY (R) 11 Woodland Road Norwalk, CT 06854		Term Expires 11/01/2020 Alternate
WATER POLLUTION CONTROL AUTHORITY	M/C	Nwtk. Code 91-2
JOHN J. BOVE (R) 6 Little Way Norwalk, CT 06855		Term Expires 11/16/2021

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OTHER PROPOSALS REQUIRING THE EXPENDITURE OF CITY FUNDS
ARE SUBJECT TO THE AVAILABILITY OF FUNDS**

Mayor Rilling called the meeting to order at 7:31 p.m. and led the Assembly in reciting the Pledge of Allegiance.

Mayor Rilling asked for a moment of silence in remembrance of Mr. Andy Glickman.

Ms. King read the notice stating that the meeting was being audio recorded and videotaped with subtitles for public broadcast. She asked everyone to speak clearly, one at a time, into the microphone and said that assisted listening devices were available.

I. ROLL CALL

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

Council at Large:	Mr. Gregory Burnett Mr. Manny Langella	Ms. Dominique Johnson Ms. Barbara Smyth
District A:	Mr. David Heuvelman	Mr. Kadeem Roberts
District B:	Mr. Ernie Dumas	Ms. Darlene Young
District C:	Mr. John Kydes	Mr. George Theodoridis
District D:	Mr. George Tsiranides	Mr. Tom Keegan
District E:	Mr. Thomas Livingston	Ms. Lisa Shanahan

At Roll Call there were fourteen (14) Common Council members present and one (1) absent (Mr. Sacchinelli)

Also present were Mayor Harry Rilling and City Clerk, Donna King.

Mayor Rilling administered the Oath of Office to the Common Council to Ms. Dominique Johnson and welcomed her to the Common Council.

II. ACCEPTANCE OF MINUTES

Special Meeting: December 10, 2019

**** MS. SHANAHAN MOVED TO ACCEPT THE MINUTES AS PRESENTED
** MOTION PASSED WITH ONE (1) ABSTENTION (MS. JOHNSON)**

III. PUBLIC PARTICIPATION

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

Mr. John Flynn discussed the Ordinance Committee and said they changed the ethics guidelines. He talked about several complaints he made and the FOIA requests he made. He said he made several attempts to contact the attorney, but did not get a response. Mr. Flynn said his complaints are serious, but he can't get any answers.

Mr. Flynn said there are clients he believes were harmed. He said he has a problem with the closed-door settlement with Vesta and added that people were evicted.

Mayor Rilling reminded Mr. Flynn about the rules of public participation and asked him to send him an e-mail.

No other members of the public wished to speak this evening.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS RESIGNATIONS:

APPOINTMENTS:

**** MS. SMYTH MOVED THE FOLLOWING APPOINTMENT
SHARON R. BAANANTE, NORWALK PUBLIC LIBRARY**

Ms. Smyth spoke in favor of the appointment. Ms. Johnson also spoke in favor of the appointment.

**** MOTION PASSED UNANIMOUSLY**

**** MR. KYDES MOVED THE FOLLOWING APPOINTMENT
DAVID L. JAEGER, JR., NORWALK TRANSIT DISTRICT**

Mr. Kydes spoke in support of the appointment.

**** MOTION PASSED UNANIMOUSLY**

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

Mr. Keegan spoke in support of the appointment. Ms. Young also spoke in support of the appointment. Mayor Rilling echoed the comments and welcomed Mr. Diesel back to Norwalk

**** MOTION PASSED UNANIMOUSLY**

REAPPOINTMENTS:

**** MR. LIVINGSTON MOVED THE FOLLOWING REAPPOINTMENT**
DANA LAIRD, HISTORICAL COMMISSION

Mr. Livingston spoke in support of the reappointment.

**** MOTION PASSED UNANIMOUSLY**

**** MR. BURNETT MOVED TO APPROVE THE FOLLOWING**
REAPPOINTMENT
MOINA NOOR, NORWALK PUBLIC LIBRARY

Mr. Burnett spoke in support of the reappointment.

**** MOTION PASSED UNANIMOUSLY**

Ms. King administered the Oath of Office to Ms. Baanante and Mr. Diesel.

MAYOR'S REMARKS:

Mayor Rilling announced that City Hall will be closed on Monday, January 20, 2020 in honor of Dr. Martin Luther King's Birthday. On January 19, 2020, the New Canaan Institutional Baptist Church Norwalk will commemorate Justice Sunday.

The annual MLK breakfast at Calvary Baptist Church Norwalk will be held followed by an MLK Day of Service. In the evening, a city-wide program will be held in the Concert Hall of Norwalk City Hall.

Firefighter applications are still being accepted at iosolutions.com. Whoever takes the test would be eligible to serve on one of 15 departments.

Mayor's Ball tickets are selling out quickly. This year's recipients are the Star Foundation and the Norwalk YMCA.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS:

Ms. Smyth announced that Ms. Young would take over Mr. Hosten's seat on The Maritime Aquarium Authority.

Ms. Smyth welcomed Ms. Johnson to the Common Council.

B. CONSENT CALENDAR:

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

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

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

A. CORPORATION COUNSEL

VII. COMMON COUNCIL COMMITTEES

A. ORDINANCE COMMITTEE

1. APPROVE REVISIONS TO THE FOLLOWING SECTIONS OF CHAPTER 68, NOISE:

- SOUND LEVEL LIMITS: § 68-5(A)(1) – TABLE 2;**
- SOUND LEVEL LIMITS: § 68-5(C)(13); AND**
- PROHIBITED ACTIVITIES: § 68-6(B)(6).**

B. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

1A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH NORWALK HOSPITAL FOUNDATION FOR THE USE OF CALF PASTURE BEACH FOR THEIR ANNUAL WCC (WHITTINGHAM CANCER CENTER) WALK/RUN TO BE HELD SATURDAY, MAY 16, 2020 FROM 7:30 AM – 12:00 NOON. SET UP TO BEGIN AT 5:00 AM WITH TEAR DOWN NO LATER THAN 2:00 PM ON SATURDAY, MAY 16, 2020. ESTIMATED ATTENDANCE 2,000

1B. APPROVE THE USE OF THE SHOW MOBILE BY THE NORWALK HOSPITAL FOUNDATION FOR THEIR ANNUAL WWC

**(WHITTINGHAM CANCER CENTER) WALK/RUN TO BE HELD
SATURDAY, MAY 16, 2020 FROM 7:30 AM – 12:00 NOON**

2A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH ALZHEIMER'S ASSOCIATION CT CHAPTER FOR THE USE OF CALF PASTURE BEACH FOR THEIR ANNUAL WALK TO END ALZHEIMER'S TO BE HELD SUNDAY, OCTOBER 11, 2020 FROM 8:30 AM – 1:30PM. SET UP TO BEGIN AT 6:00 AM WITH TEAR DOWN NO LATER THAN 2:00 PM ON SUNDAY, OCTOBER 11, 2020. TENTS TO BE SET UP FRIDAY, OCTOBER 9TH. ESTIMATED ATTENDANCE 1500

2B. APPROVE THE USE OF THE SHOW MOBILE BY THE ALZHEIMER'S ASSOCIATION CT CHAPTER FOR THEIR ANNUAL WALK TO END ALZHEIMER'S TO BE HELD SATURDAY, OCTOBER 11, 2020 FROM 8:30 AM – 1:30 PM

3. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH NORWALK LACROSSE ASSOCIATION, INC. FOR THEIR USE OF VETERANS PARK FOR THE POUND THE SOUND YOUTH LACROSSE EVENT TO BE HELD SATURDAY, JUNE 6, 2020 FROM 8:00 AM – 7:00 PM AND SUNDAY, JUNE 7, 2020 FROM 8:00 AM – 7:00 PM. SETUP TO BEGIN AT 6:00 AM ON FRIDAY, JUNE 5, 2020 WITH TEAR DOWN NO LATER THAN 7:00 PM ON SUNDAY, JUNE 7, 2020. ESTIMATED ATTENDANCE 1000 (OVER TWO DAYS)

4. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH MBI, INC. NORWALK HIGH SCHOOL MARCHING BAND FOR THEIR USE OF NORWALK HIGH SCHOOL PARKING LOT(S) FOR THEIR ANNUAL WINTER PERCUSSION EVENT TO BE HELD SATURDAY, MARCH 21, 2020 FROM 8:00 AM – 9:00 PM. ESTIMATED ATTENDANCE 2500 (STAGGERED) 5A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO A CONTRACT WITH MAGGIORE CONSTRUCTION, INC. FOR THE VETERANS PARK MARINA FINGER FLOATS REPLACEMENT FOR A SUM NOT TO EXCEED \$58,865.00. ACCOUNT #004150-5585

5B. AUTHORIZE THE DIRECTOR, RECREATION AND PARKS TO ISSUE CHANGE ORDER TO MAGGIORE CONSTRUCTION, INC. FOR THE VETERANS PARK MARINA FINGER FLOATS REPLACEMENT FOR A SUM NOT TO EXCEED \$5,886.00. ACCOUNT #014150-5585

6. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH ROWAYTON SCHOOL PTA FOR THEIR USE OF ROWAYTON ELEMENTARY SCHOOL FIELD FOR THE

ROWAYTON CARNIVAL TO BE HELD FRIDAY, MAY 8, 2020 FROM 4:00 PM – 10:00 PM AND SATURDAY, MAY 9, 2020 FROM 11:00 AM – 5:00 PM. SET UP TO BEGIN AT 7:00 AM ON WEDNESDAY, MAY 6, 2020 WITH TEAR DOWN NO LATER THAN 9:00 AM ON SUNDAY, MAY 10, 2020 (WEATHER PERMITTING) ESTIMATED ATTENDANCE 500 (DAILY).

7. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH GORDON FINE ARTS, LLC FOR THEIR USE OF MATHEWS PARK FOR THEIR ANNUAL NORWALK ART FESTIVAL TO BE HELD SATURDAY JUNE 27, 2020 AND SUNDAY, JUNE 28, 2020 FROM 10:00 AM – 5:00 PM EACH DAY. SET UP TO BEGIN AT 10:00 AM ON FRIDAY, JUNE 26, 2020 WITH TEAR DOWN NO LATER THAN 7:00 PM SUNDAY, JUNE 28, 2020. ESTIMATED ATTENDANCE 400

8. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH GORDON FINE ARTS, LLC FOR THE USE OF 50 WASHINGTON STREET PLAZA FOR THEIR ANNUAL SONO ARTS FESTIVAL TO BE HELD ON SATURDAY, AUGUST 1, 2020 FROM 10:00 AM – 7:00 PM AND SUNDAY, AUGUST 2, 2020 FROM 10:00 AM – 5:00 PM. SET UP TO BEGIN AT 7:00 AM ON SATURDAY, AUGUST 1, 2020 WITH TEAR DOWN NO LATER THAN 7:00 PM SUNDAY, AUGUST 2, 2020. ESTIMATED ATTENDANCE 1,200.

C. PUBLIC WORKS COMMITTEE

1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AMENDMENT TO THE ORIGINAL AGREEMENT(S) WITH H.W. LOCHNER FOR DESIGN AND COORDINATION SERVICES DATED SEPTEMBER 29, 2016 IN CONNECTION WITH WALK BRIDGE PROGRAM (STATE PROJECT NOS. 301-0176, 301-0188, 0301-0181, 301-0187, 102-297, 301-0180) FOR A TOTAL SUM NOT TO EXCEED \$201,318.77. ACCOUNT NO. 100% STATE REIMBURSABLE 09 18 4062 5799 C0613

2. APPROVE THE FOURTH TAXING DISTRICT PROPERTY EXTENSIONS THROUGH SEPTEMBER 30, 2019 AS PER THE LIST DATED DECEMBER 27, 2019.

D. LAND USE AND BUILDING COMMITTEE

1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AMENDMENT TO THE LICENSE AGREEMENT WITH NORWALK SEAPORT ASSOCIATION, INC. FOR ACCESS TO THE HOPE DOCK

FROM NORTH WATER STREET PARKING LOT, TO EXTEND THE AGREEMENT PERIOD FROM FEBRUARY 1, 2020 TO JANUARY 31, 2021.

2A. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO WC MCBRIDE ELECTRICAL CONTRACTOR, LLC. FOR THE NORWALK CONCERT HALL – SOUND SYSTEM REPLACEMENT PROJECT FOR A TOTAL NOT TO EXCEED \$39,140.00. ACCT. #09197100 5777 C0439

2B. AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO ISSUE CHANGE ORDERS ON CONTRACT FOR A TOTAL NOT TO EXCEED \$3,914.00

3A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH UNIVERSAL BUSINESS SERVICES, LLC FOR CITY HALL AIR HANDLER UNIT REFURBISHMENT PROJECT FOR A TOTAL NOT TO EXCEED \$64,839.96. FUNDS ARE AVAILABLE FROM ACCOUNT # 0920 4071 5777 CO439 AND 0919 7100 5777 CO0476.

3B. AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO ISSUE CHANGE ORDERS ON THE CONTRACT FOR A TOTAL NOT TO EXCEED \$6,483.00.

4. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH NORWALK GRASSROOTS TENNIS AND EDUCATION, INC. FOR THE USE OF THE MODULAR BUILDING AT NATHANIEL ELY CENTER, TO ACCEPT THE 2-YEAR RENEWAL OPTION FOR \$1 PER YEAR. THE CITY WILL CONTINUE TO HAVE NO RESPONSIBILITIES FOR UTILITY EXPENSES, BUILDING REPAIRS AND/OR CAPITAL REPLACEMENT.

E. FINANCE COMMITTEE

1. ACCEPT AND APPROVE THE REPORT OF THE CLAIMS COMMITTEE DATED: DECEMBER 12, 2019 AND JANUARY 9, 2020.

2. FOR INFORMATIONAL PURPOSES ONLY: NARRATIVE ON TAX COLLECTIONS DATED DECEMBER 12, 2019 AND JANUARY 9, 2020.

3. FOR INFORMATIONAL PURPOSES ONLY: MONTHLY TAX COLLECTOR'S REPORT DATED: NOVEMBER 2019 AND DECEMBER 2019.

**** MOTION PASSED UNANIMOUSLY**

VII. COMMON COUNCIL COMMITTEES

A. ORDINANCE COMMITTEE

**** MR. LIVINGSTON MOVED THE FOLLOWING ITEM:**

2. APPROVE REVISION TO CHAPTER 103, TAXATION, ARTICLE II, TAX EXEMPTION FOR SOLAR ENERGY SYSTEMS. REPLACE THE CURRENT SECTIONS, 103-3 AND 103-4 WITH THE FOLLOWING SECTION:

• § 103-3 – USE OF SOLAR ENERGY SYSTEM

Mr. Livingston explained that this section replaces the existing section and makes it consistent with the current state law.

Mr. Kydes thanked the members of the Ordinance Committee for their work on this.

**** MOTION PASSED UNANIMOUSLY**

B. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

**** MS. YOUNG MOVED THE FOLLOWING ITEM:**

9. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH LAZ PARKING LTD, LLC FOR MANAGEMENT OF THE SEASONAL PAID PARKING COLLECTION AND ENFORCEMENT AT CALF PASTURE BEACH, SHADY BEACH, SHADY BEACH, TAYLOR FARM, VETERANS PARK AND CRANBURY PARK FOR 2020-2023 FOR AN AMOUNT NOT TO EXCEED \$187,200 THE FIRST YEAR, \$194,688 THE SECOND YEAR, \$202,475 THE THIRD YEAR AND \$210,574 THE FINAL YEAR AS A SOLE SOURCE PROVIDER FOR THIS PROJECT.

Mr. Nick Roberts, Director of Recreation and Parks was present to answer questions. Mr. Keegan said he heard complaints about customer service. He asked if they could add language to the contract that employees would be provided customer service training. Mr. Roberts said he would have to check with the Legal department. He added that he can discuss customer service with the staff and can do a customer service survey.

Mr. Roberts explained that the contract will align with the Parking Authority contract with LAZ Parking.

Ms. Smyth asked Mr. Roberts if he could address some of the complaints. Mr. Roberts said a lot of people said they did not see LAZ staff in the parking lots. He said the vehicles were there; they have GPS in the vehicles. Ms. Smyth asked Mr. Roberts to comment on the cell signals. He said that the signal in some locations was not strong and as a result, they are implementing pay stations to address that issue.

Mr. Roberts said that any Norwalk resident who received a citation were able to call the office and it was voided. If a non-Norwalk resident receives a citation, they could go to the LAZ office to file an appeal.

**** MOTION PASSED UNANIMOUSLY**

**** MS. YOUNG MOVED TO APPROVE THE FOLLOWING ITEM:**

10. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH FLOWBIRD FOR THE PURCHASE OF 4 CWTCC PAY STATIONS FOR AN AMOUNT NOT TO EXCEED \$30,740.00. ACCOUNT #014150-5585.

Mr. Roberts explained the pay station will provide an additional payment option for non-residents.

**** MOTION PASSED UNANIMOUSLY**

D. LAND USE AND BUILDING COMMITTEE

Due to a potential conflict of interest, Ms. Smyth left the meeting.

**** MR. LIVINGSTON MOVED THE FOLLOWING ITEM:**

5. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO JCJ ARCHITECTURE, PC, TO PROVIDE LIMITED CONCEPTUAL ARCHITECTURAL DESIGN SERVICES FOR THE NEW NORWALK HIGH SCHOOL CONSTRUCTION PROJECT. THIS DESIGN EFFORT, TOGETHER WITH CONSTRUCTION COST ESTIMATING SERVICES, TO BE PROVIDED BY A SEPARATE FIRM, WILL BE THE BASIS FOR THE NEW NORWALK HIGH SCHOOL BUDGET. FEES FOR THE DESIGN SERVICES SHALL BE FOR A TOTAL NOT TO EXCEED \$50,000.00. FUNDS ARE AVAILABLE IN EXISTING NORWALK HIGH SCHOOL CAPITAL BUDGET ACCOUNT #0918/195010 5777 0610.

Mr. Livingston explained that item is part of the new Norwalk High School building project. This enables them to get a good cost estimate for the building. This does not obligate them to use this firm for any other projects.

Mr. Alan Lo, Building Management was present to answer questions. He said they need to request the money in the capital budget. They have six weeks to get the numbers ready. The numbers need to be accurate, because anything above that will be the responsibility of the City.

Mr. Livingston asked Mr. Lo if they increase the numbers to take inflationary costs into consideration. Mr. Lo explained that when they do a projection, they escalate it for two years.

**** MOTION PASSED UNANIMOUSLY**

X. MOTIONS POSTPONED TO A SPECIFIC DATE

There were none this evening.

XI. ADJOURNMENT

**** MR. LIVINGSTON MOVED TO ADJOURN**
**** MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 8:17 p.m.

ATTEST: _____
Donna King, City Clerk

William J. Ford
360 Salisbury Street
Worcester, MA 01609
(914) 534-1031
sarrealford@hotmail.com

Summary of Qualifications Certified Professional Assessor and appraiser with over 20 year's municipal experience. Broad knowledge of residential and commercial mass appraisal methods, application of technology, codes, laws, procedures and assessment techniques. Demonstrated success in meeting reappraisal targets, managing high volume requests and tight deadlines. Proven ability to supervise, motivate, train, coordinate and review work of employees.

Professional Experience **City Assessor** **Nov 2009 - Present**
City of Worcester – Finance Department, Worcester, MA
The City of Worcester is an established community with a population of 180,000 people with assessed valuation of over \$17 Billion that consists of approximately 48,000 real estate parcels, 5,000 personal property and 140,000 excise accounts.

Responsible for the operation of the assessment division, development of assessments, defense of values before Appellate Tax Board and state reporting of all assessment activities. Received Department of Revenue approval to implement technological changes for the performance and review of assessing functions. Received Department of Revenue certification and Massachusetts Accredited Assessor Designation within three months of appointment. Performed conversion of real estate CAMA software from legacy (SCAMAS) system to Vision Appraisal Software. Completed conversion of Personal Property software to Vision Software, including digital coding of accounts. Developed Data Collection Manual in conformance with state and international standards and standard valuation principles. Instituted staff development program in order to provide comprehension of new CAMA software, new data collection and policies and procedures. Implemented program of remote sensing, street and aerial imagery to perform revaluation of municipality with a projected cost savings of \$1.5 Million Dollars. Instituted enterprise-wide review program which discovered in excess of Six Million Dollars (\$6,000,000) of Growth in Tax Dollars. Perform annual revaluation of parcels maintaining level of assessment and DOR certification.

William J Ford, RE Consulting **May 2004-Present**
Developed revaluation schedules, values and mandatory reporting to Office of Real Property Services. Performed statistical analyses to determine level of assessment and equity in assessment rolls. Performed ratio studies and develop necessary trends in order to maintain full market valuations in various towns. Completed Ratio Study for Nassau County (420,077 Parcels) in order to determine level of assessment and uniformity for small claims assessment review hearings, successfully supporting stated level of assessment.

In conjunction with the International Association of Assessing Officers (IAAO), performed review of City of Dover, Delaware Assessment Department processes, procedures, and analysis of the Code of the City of Dover. All processes and written report performed with Fred Chmura, CCMA, AAS.

Developed commercial appraisals and market saturation analyses for construction projects. Reviewed and evaluated lease documents, including CAM charges, alterations, and tax apportionment to determine marketability of properties for owners and compatibility for clients. Analyzed tax returns, financial statements, and pro-forma statements in order to determine available financing.

Assessor **March 1999- Nov 2009**
Town of Southeast - Assessment Department, Brewster, NY
Town of Southeast is a growing suburban community with a population of approximately 20,000 people with assessed valuation of over \$3 Billion that consists of 7,400 parcels.

Completed update for three towns (20,000 parcels) including ratio studies, trend analysis, value development and batch processing. Computed and prepared statistical reports to illustrate current levels of assessment, price related differentials, and coefficients of dispersion for commercial and residential parcels. Updates conformed to Uniform Standards of Professional Appraisal Practice Standard (USPAP) 6, International Association of Assessing Officers' Standards and New York State requirements.

Developed Geographic Information System (GIS) integrating topographic, cartographic, census, USGS data, and aerial photogrammetry to determine influences on values. The GIS was used to determine effective locations for cellular towers within the town and draw election district lines in accordance with New York State election regulations as well as valuations.

- Utilize spreadsheets, database management, GIS and statistical software (SPSS) to analyze appraisal performance
- Application of multiple regression analysis in determining mass valuation models of real property
- Reporting assessment data to taxpayers, both individually and at public hearings.

Received Excellence in Equity Award from New York State Office of Real Property Services **2001 - 2009**

Chairman – Board of Assessment Review
Town of Somers – Somers, NY

September 1999 – September 2005

Quasi-judicial review of the assessment roll of the Town of Somers, applying knowledge of Real Property Tax Law of the State of New York and standard valuation principles. Provide fair hearings, administer oaths, hear proofs, request supporting documentation from petitioners, and determine final assessment of the real property of each complaint.

Senior Real Property Appraiser
Real Property Appraiser

August 1997-February 1999
April 1994-August 1997

City of Yonkers - Assessment Department, Yonkers, NY

City of Yonkers is the fourth largest city of New York State, with a population of approximately 200,000 people and an equalized assessed valuation in excess of \$35 Billion that consists of over 35,700 parcels.

Responsible for 700 commercial and 5,000 residential parcels including discovery of new construction, verification of sales information and analysis of currently improved properties. Prepared statistical reports illustrating current levels of assessment for residential and commercial parcels.

Evaluated software packages and applications prior to purchase and distribution. Managed and trained staff in the use of a new mapping system, assisted with negotiations and changes to computerized mapping contract. Developed computer assisted valuation analysis using MapInfo Software. Performed needs analysis for implementation of a Geographic Information System (GIS). Examined all activities required by the department in order to determine the feasibility of available software packages.

Volunteer
Experience

President
Sergeant-at-arms
Brewster Rotary

July 2008 – Nov 2009
October 2006 –July 2008.

Perform supervisory functions of organization and meetings. Supervise race day operations for annual half marathon, raising funds for annual scholarships. Lead the development of organization web page.

Professional
Achievements

Certified Instructor, *International Association of Assessing Officers (IAAO)*
Assessment Administration Specialist (AAS), *International Association of Assessing Officers (IAAO)*
Massachusetts Accredited Assessor (MAA), *Massachusetts Association of Assessing Officers (MAAO)*
Professional Assessor (IAO), *Institute of Assessing Officers New York State Assessors' Association (expired)*
Certified Assessor Professional Designation, *New York State Office Real Property Services (ORPS)*
Certified Assessor Advanced Designation, *New York State Office Real Property Services (ORPS)*
Series 7 and 63 Licenses, *Securities and Exchange Commission*

Professional
Certificates

Massachusetts Department of Revenue: *Tax Classification Certification, Course 101 Assessment Administration*
Appraisal Institute: *Valuation of Mixed-Use Properties, Preparation for Litigation, Uniform Standards of Professional Appraisal Practice (USPAP)*
International Association of Assessing Officers (IAAO): *Fundamentals of Mass Appraisal (IAAO 300), Residential Modeling Concepts (IAAO 311), Applied Residential Modeling Concepts (IAAO 321), Tax Policy (IAAO 402), Assessment Administration (IAAO 400), Income Approach to Value II (IAO 112), Estimating from Blueprints & Specifications, Valuation of Apartment Buildings*
NYS Office of Real Property Services: *Commercial Data Collection, Income Approach to Value, Advanced Income Approach to Value, Exemption Administration, Mass Appraisal, RPS V4 Valuation*
Manfred Real Estate Learning Center: *Fundamentals of Real Property Appraisal (R1), Ethics and Standards, AQ-1 Appraisal Qualifying, Valuation Principles and Procedures (R2)*

Computer
Skills

Microsoft Office	RPS V4	MS Access	SPSS	Marshall & Swift
Vision Appraisal	Arc GIS	Auto Sketch	AutoCAD	NCSS

Education

Fordham University, Bronx, NY - Political Science
Westchester Community College, Valhalla, NY – Business Administration
Archbishop Stepinac HS, White Plains, NY – College Preparatory

Professional
Affiliations

International Association of Assessing Officers (IAAO)
Northeast Regional Association of Assessing Officers (NRAAO)
Massachusetts Association of Assessing Officers (MAAO)
New York State Association of Assessors (NYSAA)
Westchester County Society of Real Estate Appraisers (WCSREA)

(D)

DORIS M. ASH
61 Hills Lane Westport, CT 06880

- Resident of Norwalk, 1976-2007
- Moved to Orrs Island, Maine, 2007-2015
- Moved back to Norwalk, April, 2015 (Please note: mailing address is Westport, but we are residents of and voters in Norwalk)

EMPLOYMENT HISTORY

1974-1976: Inventory and Accounts Payable, St. Joseph's Hospital, Stamford, CT

1976-2000: English teacher, Dolan Middle School, Stamford, CT

2001-2007: Realtor, Prudential Connecticut Realty, Norwalk, CT

Realtor designations:

- SRS (Senior Real Estate Specialist); CRS (Certified Residential Specialist); ABR (Accredited Buyer's Representative)
- President's Circle - Top 3% of Realtors, nationwide
- Leading Edge Society - Top 10% of Realtors, nationwide

2008-2012: Contract Writer for National Episcopal Church; Church Publishing, New York, NY

Authored "Weaving God's Promises," a 3-year Sunday school curriculum for grades 6-8; sold nationwide

EDUCATION

1970-1974: B.S Degree in English, grades 7-12, Central Connecticut State College (now CCSU)

1982-1985: Master's work in Community Counseling, Fairfield University

2001-2007: Yearly real estate classes to maintain my Realtor's license

COMMUNITY SERVICE

- Norwalk Junior Women's Club
- Member, Grace Episcopal Church, Norwalk - served on a variety of committees, as clerk of the Vestry, in the choir and altar guild
- Volunteer at Wolfpit Elementary School
- Marching Bears, Inc. (parent group of Norwalk High School Marching Band); member for 8 years; one year as vice president; two years as president

(cell) 203 - 784-0853

doris@dorisash.com

**Prudential Connecticut Realty**

RESUME

Jo Deupree

R

Experience:

1985-2008 Realtor with Prudential Ct. Realty
(previously Merrill Lynch Realty and Siegel & Soper)
24 years in the Norwalk/Rowayton market; special training in
Relocation, Fine Homes, Buyer Agency, Environmental Issues

Affiliations:

National Association of Realtors
Connecticut Association of Realtors
Mid-Fairfield Association of Realtors

Education:

BA Lake Erie College
Continuing Education for licensing, appraising, real estate law,
ABR designation in 1998

Community:

Bettswood Park Association
Grace Episcopal Church
Roton Point Association
Marching Bears Inc.

Professional:

Who's Who in Residential Real Estate in North America
Winner's Circle, Leading Edge, President's Circle designations
Consistent Multi-million dollar producer
Top Selling/Listing Broker Recognition

prudentialCT.com

CINDY ELLERMAN

347.350.4498

(D)

To: Donna King, City Clerk
City of Norwalk

From: Cindy Ellerman 61 Fair Street

Re: Appointment to Board of Assessment Appeals

Pursuant to our telephone conversation earlier today, I have enclosed the following paragraph giving a brief synopsis of my work background.

I, Cindy Ellerman, have in excess of forty (40) years of experience representing various entities before government bodies in administrative matters. I routinely represent individuals, groups, architects, contractors, professional engineers, builders, home and building owners (commercial, residential and hi-rise). Among the government bodies with whom I have extensive experience include Departments of Buildings, Transportation, Sanitation, Consumer Affairs, Transit and the NY Port Authorities as well as NY State Liquor Authority and various Commissions. I have also done federal Social Security cases, appeals and remands as needed. The bulk of my work has been in the tri-state area as well as San Francisco. I routinely prepare cases, appear before the government agency and perfect appeals where required.

Donna, should you have any questions, or require additional information, just let me know.

Thank you for your consideration.

R

Judith G. Hyers
Sales Vice President
William Raveis Real Estate – Rowayton
199 Gregory Blvd – A2
East Norwalk, CT 06855
203-856-9301

Judy Hyers is a full-time Realtor with more than 25 years' experience in real estate. She joined William Raveis Real Estate in 1994, and is a top producing listing and selling agent with a cumulative sales volume of over \$100 million. She is a waterfront properties specialist and also a member of the William Raveis Relocation Team.

Prior to her career in real estate, Judy owned and operated advertising/marketing agencies in Norwalk and New York City. In addition, she is also a former member of the Board of Directors of Baldwin Technology Company, Inc. a manufacturer of accessory and control equipment for the offset printing industry.

Judy is currently on the Board of Trustees of The Maritime Aquarium at Norwalk having served on its Board from 1994 forward. During her tenure as a trustee and advisor at The Maritime Aquarium, she has served on a variety of committees including and currently the Executive Committee, the Marketing Committee and the Exhibits Committee. Previous committee assignments included the Red Apple, and Long Range Planning, and Trustee Committees, as well as the Search Committee charged with the responsibility of hiring the Aquarium's current CEO.

Judy is a member of the Darien Sail & Power Squadron and a former member of their bridge, and a past course instructor during which time she developed a hands-on program aimed at exposing and educating 6-12 year olds to a variety of different aspects of boating safety. Today, she is also a member of the bridge for the Dorlon Terrace Marina Association and President of the Dorlon Terrace Association.

She holds a Bachelor of Arts Degree in English from Wheaton College in Norton, MA. Judy lives on Charles Creek in East Norwalk at Dorlon Terrace Condominiums. She has been a resident of Norwalk since 1969, and has lived in East Norwalk since 1974. She has sailed virtually all her life and loves the water, its culture and its wildlife. She has two grown children and three grandchildren.



Jane Ready, REALTOR®

Rowayton

165 Rowayton Avenue,
Rowayton, CT 06853

Office (203) 853-9999 (tel:+1-
203-853-9999)

Cell (203) 219-3508 (tel:+1-
203-219-3508)

Email jready@bhhsne.com
(mailto:jready@bhhsne.com)



35 Total Ratings

[VIEW MY WEBSITE](#)

REAL ESTATE EXPERIENCE: Over 30 successful years in Real Estate. During 1st year, "Rookie of the Year" for Fairfield County. Consistent top producer and award winner for the Rowayton/Norwalk offices. Ranked in top 2% of Berkshire Hathaway HomeServices New England Properties national network.

EDUCATIONAL/PROFESSIONAL BACKGROUND: B.S. Ed, Wheelock College, Boston, MA. Teacher, Darien Public Schools; Hewitt Associates (now AON); Rogers, Casey & Barksdale, Director of Admin.

PROFESSIONAL ACHIEVEMENTS: Who's Who in Residential Real Estate in North America. Selected to be Fine Homes Director. Multi-million dollar producer. "Top Listing Agent" and "Top Selling Agent" awards. Leading Edge Society, President's and Chairman's Circle designations by Berkshire Hathaway Home Services National. Named FIVE STAR Real Estate Agent in Connecticut Magazine for five consecutive years. This recognition for outstanding service is awarded to less than 6% of licensed agents in Connecticut.

PROFESSIONAL ASSOCIATIONS: NAR, CAR, Darien Board of Realtors, Smart MLS (Connecticut), Darien M.L.S.

PAST & PRESENT COMMUNITY INVOLVEMENT: Area native. Woman's Board of the Norwalk Hospital. Wilson Point Property Owners' Assoc. Board. Volunteer at Treasure House (Norwalk Hospital). Volunteer Emergency Dep't Norwalk Hospital, Member of Board of Assessment Appeals for the City of Norwalk.

Honor Society



Leading Edge
Society



President's
Circle



Chairman's
Circle - Gold

SUNSHINE KIDS

Sunshine Kid
Supporter



Who's Who in
Luxury Real
Estate

Designations
Luxury Collection
Specialist

Area Served
West Norwalk
Rowayton • Darien
Norwalk • Wilton • South
Norwalk • Silvermine

R

General

The firm of Bove, Milici & Josem was created by the merger of the law offices of Bove, Josem & Josem with those of John A. Milici. This merger occurred in October 1990. Mr. Josem retired in January 2000. John A. Milici retired in July, 2009. The firm is now John J. Bove, LLC. The office engages in a range of specialties including commercial and residential real estate transactions, bank representation in such areas as consumer compliance, regulatory compliance and loan origination (commercial and real estate). In addition, the firm represents developers and property owners in zoning, condominium development and construction matters.

John J. Bove

John J. Bove graduated Summa Cum Laude from Sacred Heart University with a Bachelor's Degree, in December, 1977. He graduated from St. John's University School of Law in June, 1980. He was admitted to the Connecticut Bar in October, 1980 and to the Federal Court for the District of Connecticut in February, 1981. He has practiced extensively in all areas of real property law, both residential and commercial, including all phases of transactions on behalf of purchasers, sellers, developers, landlords, tenants and lenders. In addition, his practice includes planning and zoning matters, environmental reviews, construction agreements, condominium developments, planned unit developments, governmental applications and compliance relative to waterfront construction, and general land use and development. He is also involved in the creation of various entities for the purpose of acquiring, owning and developing real estate. He has also represented both lenders and borrowers in loan closings. He has prepared and reviewed common interest ownership (condominium) documents. Currently, approximately ninety (90%) percent of his practice is devoted to real property law. Additionally he has served as general counsel to Norwalk's Third Taxing District, served as an alternate on Norwalk's Water Pollution Control Authority, and has just completed a three year term as Commodore of the South Norwalk Boat Club.

§ 32-16 Incurring of costs by Board of Ethics; staff.

- A. The Board of Ethics shall be authorized to incur costs providing education and training programs for the City and its Officers and Employees subject to the City's annual budget. The Board of Ethics shall also be authorized to incur costs investigating and prosecuting any alleged ethics violation(s) and in responding to requests for advisory opinions, subject to the City's annual budget. The Board of Ethics shall seek an annual appropriation to be used to cover its costs during the Year and may seek such further or increased appropriations as may be necessary to carry out the terms of this Code of Ethics.
- B. The Law Department shall assist the Board of Ethics in implementing its responsibilities under this Code and shall serve as staff to the Board of Ethics and any Hearing Board appointed under this Code. The Board of Ethics in appropriate circumstances may retain independent counsel to represent the Board, any Investigating Panel or any Hearing Board.

§ 32-17 Representation of Respondent(s) by City.

It is contemplated by this Code that Persons making complaints and Respondents to any ethics complaint made under the Code shall not be represented by counsel appointed by or paid for by the City. In appropriate circumstances when a Respondent has not been found in violation of this Code, by the Hearing Board, the Board of Ethics may recommend to the Common Council that a Respondent be reimbursed for all, or a portion of his or her expenses incurred in defending an ethics complaint including the reasonable costs of the Respondent's counsel. The Council may authorize such reimbursement subject to the availability of funding by the City.

§ 32-16. Incurring of costs by Board of Ethics; staff.

- A. The Board of Ethics shall be authorized to incur costs ~~providing education and training programs for the City and its Officers and Employees subject to the City's annual budget. The Board of Ethics shall also be authorized to incur costs in-~~investigating and prosecuting any alleged ethics violation(s) and in responding to requests for advisory opinions, subject to the City's annual budget-~~process~~. The Board of Ethics ^[KM16]shall seek an annual appropriation to be used to cover its costs during the ~~y~~Year and may seek such further or increased appropriations as may be necessary to carry out the terms of this Code of Ethics.
- B. The Law Department shall assist the Board of Ethics in implementing its responsibilities under this Code and shall serve as staff to the Board of Ethics and any ~~-hearing-board~~Hearing Board appointed under this Code. The Board of Ethics in appropriate circumstances, ~~as it shall determine,~~ may retain independent counsel to represent the Board, any ~~Investigating Panel investigating-panel~~or any- ~~hearing-board~~Hearing Board.

§ 32-17. Representation of ~~Respondent(s) respondents~~ by City.

It is contemplated by this Code, that ~~p~~Persons making complaints and ~~r~~Respondents to any ethics complaint made under the Code shall not be represented by counsel appointed by or paid for by the City. In appropriate circumstances, when a Respondent has not been found in violation of this Code ~~by the Hearing Board~~, the Board of Ethics may recommend to the Common Council that a Respondent be reimbursed for ~~any-and-all, or a portion of his or her~~ expenses incurred in defending an ethics complaint including the ~~reasonable~~ costs of the ~~R~~espondent's counsel. The Council may authorize such reimbursement subject to the availability of funding by the City.



VII. B

CITY OF NORWALK
Henry M. Dachowitz
Chief Financial Officer
hdachowitz@norwalkct.org

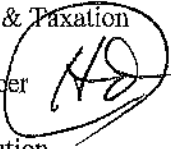
Mobile: 516-728-4991
Office: 203-854-7870

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

MEMORANDUM

DATE: November 12, 2019

TO: Harry Rilling, Mayor
The Members of the Board of Estimate & Taxation

FROM: Henry Dachowitz, Chief Financial Officer 

RE: 98 South Main Street Special Appropriation

The Mayor is requesting a special appropriation in the amount of \$1,000,000. This appropriation will provide matching funds to the YMCA for the build-out of the City property located at 98 South Main Street.

The City's matching funds will total \$1,200,000. The remaining \$200,000 of the City's commitment will be provided by the 98 South Main Special Appropriation which was approved by The Board of Estimate and Taxation on August 6th 2018 in the amount of \$500,000. That appropriation allocated \$300,000 to the purchase of the 98 South Main building and an additional \$200,000 for capital improvements.

This special appropriation will be funded by a \$1,000,000 transfer from Fund Balance.

ACTION REQUESTED:

1. RESOLVED, that a sum not to exceed \$1,000,000, be and the same is hereby transferred from Fund Balance to Operating account 01-7029-5A0620 to provide matching funds for the YMCA build-out of the City owned property located at 98 South Main Street.



CITY OF NORWALK
Office of the Mayor

P: 203-854-7701 / F: 203-854-7939

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

MEMORANDUM

DATE: November 12, 2019

TO: The Members of the Board of Estimate & Taxation

FROM: Harry Rilling, Mayor

RE: 98 South Main Street Special Appropriation

I recommend the approval a Special Appropriation in the amount of \$1,000,000. This appropriation will provide matching funds for the YMCA build-out at the City property located at 98 South Main Street.

This funding, along with the remaining \$200,000 from the Board of Estimate and Taxation's August 6th 2018 approved appropriation in the amount of \$500,000 will add a total of \$1,200,000 to the YMCA's corresponding commitment of \$1,200,000. These funds will provide needed recreation facilities to the City of Norwalk.

The Finance Department has provided additional information regarding the funding of this appropriation.

ACTION REQUESTED:

1. RESOLVED, that a sum not to exceed \$1,000,000, be and the same is hereby transferred from Fund Balance to Operating account 01-7029-5A0620 to provide matching funds for the YMCA build-out of the City owned property located at 98 South Main Street.



CITY OF NORWALK
Harry W. Rilling
Mayor
hrilling@norwalkct.org
norwalkct.org
P: 203-854-7701 / F: 203-854-7939
Norwalk City Hall
125 East Avenue, PO Box 5125
Norwalk, CT 06856-5125

TO: Board of Estimate and Taxation
FROM: Mayor Harry W. Rilling
Laoise King, Assistant to Mayor
DATE: June 6, 2018
RE: Purchase of Remaining Interest in 98 South Main Street

The City currently owns a one half interest in the subject property at 98 South Main Street (the "Property"), which it obtained from the bankruptcy trustee on behalf of NEON. As set forth in more detail below, the City now seeks to obtain the other one half-interest in the Property from the South Norwalk Community Center ("SNCC") for three hundred thousand dollars (\$300,000). We are also proposing for the Board of Estimate and Taxation to approve an additional two hundred thousand dollars (\$200,000) for future capital improvements for the Property. We propose that this request be paid from the funds that are already on deposit with the City from the GGP payment that was made to the City in exchange for the City's approval to modify the underlying Land Disposition Agreement to remove the requirement to construct a hotel along with the mall. At the time that the Common Council approved the GGP payment, it was discussed by the Council that the City intended for as much of those funds as possible to be used towards projects that will directly benefit the South Norwalk Community. Certainly, the funds from this request will be used to purchase and improve a building in the heart of South

Norwalk that will be a place where the City intends for there to be additional programming and services which will benefit the South Norwalk community.

On May 15, 2018, the Planning Commission voted unanimously to issue a positive report for the proposal its authority to review such a proposal pursuant to Connecticut General Statute. § 8-24. This proposal was also considered and received a positive review from the Common Council Land Use Committee. This proposal is scheduled to be considered by the Common Council Finance Committee on June 14, 2018.

HISTORY OF THE PROPERTY

In order to evaluate the issues in this case it is important to understand the complicated history of the Property. From 1981 through 1987, the City obtained grants of approximately \$1,000,000 and constructed the building at the Property. On August 26, 1987, the City quitclaimed the Property to both NEON and the SNCC as tenants in common. The deed provided that the City conveyed the Property to these organizations to "insure that these organizations have a facility to carry out social services which they were organized." A condition of the deed (provided for a "reverter clause" which provided that title to the Property shall revert back to the City if NEON and SNCC or their grantees/successors ceased to use the Property solely to provide social service programs to the residents of Norwalk. The reverter clause states in relevant part:

"The premises are hereby conveyed to the grantees by the City to insure that these organizations have a facility to carry out the Social Services for which they were organized, it being a condition of this deed that should the said grantees or their successors ever cease to use the premises solely for said Social Service purposes for the benefit of the citizens of Norwalk, that title in said premises shall then revert to the City of Norwalk."

Around April 2014, NEON ceased providing social services, and became decertified and no longer used the Property. Around June 2015, NEON filed a Chapter 7 petition in Bankruptcy Court.

NEON claimed its interest (as a joint tenant) in the Property in the bankruptcy proceeding and claimed it had the right to sell its interest in the Property to another nonprofit organization. The City filed an action in the Superior Court alleging that NEON's interest in the Property reverted back to the City per the reverter clause in the deed since NEON was no longer providing social services to the citizens of Norwalk. The legal claims of NEON and the City were never adjudicated by the court. Instead the City and bankruptcy trustee reached a settlement of that case whereby the City was able to obtain a one half fee title interest to the Property thereby taking over NEON's ownership interest in the Property.

VALUATION ISSUES

The bankruptcy trustee submitted a valuation letter from a real estate broker which claimed that the value of the Property was \$2,100,000. Therefore, the bankruptcy trustee initially claimed that NEON's interest in the property was worth \$1,050,000. The Norwalk Tax Assessor valued the Property for \$2,357,220 on the most recent grand list (field card is attached hereto as **Exhibit 1**). Back on June 16, 2015, the City had an appraisal done by a certified commercial appraiser, Viminal Associates, which valued the Property for \$665,000.00 (attached hereto as **Exhibit 2**). Please note that this appraisal is almost three (3) years old and we believe that the value of similar commercial buildings in Norwalk during the past three years has significantly increased.

PROPOSED PURCHASE AND SALE OF SNCC'S ONE HALF INTEREST

Over the past few years City officials have been involved in negotiations with SNCC for the City to try to purchase SNCC's interest in the Property. After years of refusing to consider selling its interest in the Property to the City, SNCC finally agreed a few months ago to do so. During negotiations, the City offered to purchase SNCC's interest for three hundred thousand dollars (\$300,000). Attached hereto as **Exhibit 3** is the proposed purchase and sale agreement, along with proof of SNCC's acceptance. As part of the deal, SNCC will obtain will be able to maintain an office of approximately seven hundred (700 sq ft) at the Property for a five (5) year lease term at the rental rate charged by the City to other non-profit organizations that rent space at a City property, along with an option for an additional five (5) year term at the same rate. Furthermore as part of the deal, SNCC has agreed to change the structure of its organization with the goal of restructuring the organization in a manner that will make it more welcoming to the entire Norwalk community and more effective at providing necessary community activities and social services to the Norwalk community. Attached hereto as **Exhibit 4** is the executed SNCC bylaws showing these changes.

IN CONCLUSION

We have all concluded since the demise of NEON that this Property cannot be effectively operated to benefit to community while being jointly owned by two separate organizations. Furthermore, the Property has not been properly maintained for many years. Therefore, there is a significant amount of deferred maintenance and future capital improvements which must be immediately addressed. So in addition to three hundred thousand dollars (\$300,000) for the acquisition of a one half inters in the Property, the City is also proposing to Board of Estimate

and Taxation to approve an additional two hundred thousand dollars (\$200,000) for future capital improvements for the Property. Once the City confirms that it is going to take over ownership of the Property, the City could develop a plan for both the short term and long term use of the Property.

For the foregoing reasons it is respectfully requested that the Finance Committee move this proposal forward to the Common Council for approval. Thank you for your time and consideration of this matter.

and held in the Contingency account for increases in Regular wages. Also, two vacancies went unfilled throughout the year totaling \$119,700.

**** MAYOR RILLING MOVED TO APPROVE THE FY 2017-18 RESERVE SUMMARY AND TRANSFER REQUEST.**

**** THE MOTION PASSED UNANIMOUSLY.**

4. OTHER BUSINESS (SECTION C)

1. RESOLUTION, Approve a special capital appropriations totaling \$5.0 million to increase the available funds for the Facilities Master Plan for Norwalk High School. Project #09185010-C0610, and authorizing the issuance of \$5.0 million of General Obligation Bonds of the City of Norwalk to meet said appropriation.

2. RESOLUTION: Approve the reduction of \$5.0 million of appropriations for Jefferson School, project #09195010-5777-C0618, from \$23.902 million to \$18.902 million.

**** MAYOR RILLING MOVED TO APPROVE A SPECIAL CAPITAL APPROPRIATIONS TOTALING \$5.0 MILLION TO INCREASE THE AVAILABLE FUNDS FOR THE FACILITIES MASTER PLAN FOR NORWALK HIGH SCHOOL. PROJECT #09185010-C0610, AND AUTHORIZING THE ISSUANCE OF \$5.0 MILLION OF GENERAL OBLIGATION BONDS OF THE CITY OF NORWALK TO MEET SAID APPROPRIATION.**

**** MAYOR RILLING MOVED TO AMEND THE RESOLUTION TO READ AS: "APPROVE A SPECIAL CAPITAL APPROPRIATIONS TOTALING \$5.0 MILLION TO INCREASE THE AVAILABLE FUNDS FOR THE FACILITIES MASTER PLAN FOR NORWALK HIGH SCHOOL. PROJECT #09185010-C0610"**

**** THE MOTION PASSED UNANIMOUSLY.**

**** MAYOR RILLING MOVED TO APPROVE A SPECIAL CAPITAL APPROPRIATIONS TOTALING \$5.0 MILLION TO INCREASE THE AVAILABLE FUNDS FOR THE FACILITIES MASTER PLAN FOR NORWALK HIGH SCHOOL. PROJECT #09185010-C0610 AND APPROVE THE REDUCTION OF \$5.0 MILLION OF APPROPRIATIONS FOR THE JEFFERSON SCHOOL, PROJECT 09195010-5777-C0618, FROM \$23.902 MILLION TO \$18.902 MILLION.**

Mr. Tom Hamilton came forward in support of the item. He stated that the Norwalk High School project is being undertaken in phases over the next several years, based on whether the work will be eligible for State reimbursement, the type of State grant application that must be filed, and based on the timing of when the work will be ready to be placed out to bid. It has now been determined that the original allocation of \$6.5 million for this project will not be sufficient to complete all of the work that is necessary at this building. The Board of Education is requesting a special capital appropriation in the amount of \$5.0 million in order to undertake the additional necessary work.

Mr. Hamilton stated that the items that will be funded with the additional \$5.0 million include a complete cafeteria redesign. A Learning Commons and Maker Space will be constructed in the existing Library. The Auditorium will be upgraded. ADA improvements and renovation will be done for the

building's courtyards. Safety and landscaping improvements will be made to the school entrance, stairwells and hallways. Improvements will be made to the athletic facility. There will also be various programmatic renovations and improvements.

Mr. Hamilton stated that it appears unlikely that the Jefferson School Project can be completed on the original schedule and will need to be deferred until the Ponus project is completed. He stated that we are requesting that the City temporarily reduce the appropriation for the Jefferson School project by the same amount to be bonded at current levels. He stated that we appreciate the Mayor's agreement to recommend restoration of full funding for the Jefferson renovation project in a future capital budget, when the Jefferson project can proceed based on the revised project phasing schedule.

**** THE MOTION DID NOT PASS WITH THREE VOTES IN FAVOR AND THREE IN OPPOSITION (MR. PRAYER, MR. JELLERETTE, AND MR. KASSIMIS.**

3. RESOLUTION: Approve a special capital appropriation in the amount of \$500,000 of which \$300,000 will cover the City's purchase of the remaining one half interest of the building located at 98 South Main Street, and \$200,000 will cover estimated future capital improvements and repairs to the property.

Mr. Camacho recused himself from the item.

**** MR. KASSIMIS MOVED TO APPROVE A SPECIAL CAPITAL APPROPRIATION IN THE AMOUNT OF \$500,000 OF WHICH \$300,000 WILL COVER THE CITY'S PURCHASE OF THE REMAINING ONE HALF INTEREST OF THE BUILDING LOCATED AT 98 SOUTH MAIN STREET, AND \$200,000 WILL COVER ESTIMATED FUTURE CAPITAL IMPROVEMENTS AND REPAIRS TO THE PROPERTY.**

Mayor Rilling stated that we would like to acquire the building and bring it up to code. The elevator, roof, security system, and other items need fixing.

Mayor Rilling stated that the City currently owns a one-half interest in the property at 98 South Main Street. He stated that the property was obtained from the bankruptcy trustee on behalf of NEON. Mayor Rilling stated that the City now seeks to obtain the other one-half interest in the property from the South Norwalk Community Center. He stated that the existing South Norwalk Community Center would not be receiving the \$300,000. An entirely new agency will be created. The board of directors will be made of 11 individuals.

Mayor Rilling stated that the new agency will be providing social services at a higher level than what SNCC is currently providing. He stated that we hope to bring in additional tenants that provide social services. RFPs will be issued to attract the new tenants. He stated that at some point, a social service organization could purchase the building from the City.

Mr. Alan Lo stated that we have a Certificate of Occupancy for the building, but there are significant improvements that need to be made to the building. Security, energy management system, interim mechanical repair, lighting, and other improvements will need to be made.

**** THE MOTION PASSED WITH FOUR VOTES IN FAVOR AND ONE VOTE IN OPPOSITION (MR. JELLERETTE).**

Mayor Rilling exited the meeting at 8:00 p. m.

4. Approval of FY 2017-18 Reserve for Encumbrances

Mr. Barron stated that each year, the Board of Education can request that 1% of the prior year appropriation to be carried forward for use in the next year. He stated that the 1% is \$1,840,843. He stated that the BOE would like to encumber \$717,257.

Mr. Barron stated that the Total City Reserve is \$1,239,272. \$343,907 of the total City Reserve is for the Headstart Program. We have a new Headstart provider. The \$343,907 needs to be carried into this year in order to make the first quarterly payment of \$120,000.

**** MR. KASSIMIS MOVED TO APPROVE THE CITY SIDE OF THE APPROVAL OF FY 2017-18 RESERVE FOR ENCUMBRANCES IN THE AMOUNT OF \$1,239,272.53.**

**** THE MOTION PASSED UNANIMOUSLY.**

5. ADDITIONAL INFORMATION (SECTION D)

Special Appropriation

Status of Contingency

Financial reports

- Year-to-date Capital Budget Report – FY 2017-18
- Year-to-date Capital Budget Report – FY 2018-19
- Year-to-date Operating Expenditure Report – FY 2017-18
- Year –to-date Operating Expenditure Report – FY 2018-19
- Year-to-date Operating Revenue Report – FY 2017-18
- Year-to-date Operating Revenue Report – FY 2018-19
- Year-to-date BOE Operating Expenditure Report – FY 2017-18
- Year-to-date BOE Operating Expenditure Report – FY 2018-19

Salary accounts

- Police – FY 2017-18
- Police – FY 2018-19
- Fire – FY 2017-18
- Fire – FY 2018-19
- Public Works – FY 2017-18
- Public Works – FY 2018-19

Mr. Barron stated that the Oak Hills Park Authority is in the process of closing out the year and do not yet have the final numbers.

City of Norwalk

Board of Estimate & Taxation

August 6, 2018

Page 4 of 5

regulators are required. He stated that the new SCBA masks and regulators for each member are required with the new air packs.

**** MAYOR RILLING MOVED TO APPROVE THE SPECIAL CAPITAL APPROPRIATION IN THE AMOUNT OF \$133,915 FROM THE CAPITAL FUND BALANCE TO INCREASE THE AVAILABLE FUNDS FOR THE PURCHASE OF SCBA AIR PACKS FOR THE FIRE DEPARTMENT.**

**** THE MOTION PASSED UNANIMOUSLY.**

1. RESOLUTION, Approve a special capital appropriation in the amount of \$500,000 of which \$300,000 will cover the City's purchase of the remaining one half interest of the building located at 98 South Main Street, and \$200,000 will cover estimated future capital improvements and repairs to the property.

Mr. Camacho stated that he would recuse himself from this item.

Mayor Rilling stated that the City currently owns a one half interest in the property at 98 South Main Street. The property was obtained from the bankruptcy trustee on behalf of NEON. He stated that the City now seeks to obtain the other one half-interest in the property from the South Norwalk Community Center for \$300,000. Mayor Rilling stated that the building will need \$200,000 in capital improvements in order to bring the building up to code.

Mayor Rilling stated that in August of 1987, the City quitclaimed the property to both NEON and SNCC as tenants in common. The deed provided that the City conveyed the Property to these organizations to insure that these organizations have a facility to carry out social services which they were organized. Mayor Rilling stated that as a condition of the deed provided for a reverter clause which provided that the title to the property shall revert back to the City of NEON or SNCC ceased to use the property solely to provide social service programs to the residents of Norwalk.

Mayor Rilling stated that in 2014, NEON ceased providing social services and no longer used the property. In 2015, NEON filed for bankruptcy. Mayor Rilling stated that the City and bankruptcy trustee reached a settlement whereby the City was able to obtain a one half ownership of the property.

Mayor Rilling stated that City officials have been involved in negotiations with SNCC for the City to try purchasing SNCC's interest in the property. After years of refusing to sell its interest, SNCC agreed a few months ago to sell. He stated that during negotiations, the City agreed to purchase SNCC's interest for \$300,000. As part of the deal, SNCC will be able to maintain an office of approximately 700 square feet for a five year lease term.

Mayor Rilling stated that as part of the deal, SNCC has agreed to change the structure of its organization with the goal of restructuring the organization in a manner that will make it more welcoming to the entire Norwalk Community. It will become more effective at providing necessary community activities, and social services to the community.

Mayor Rilling stated that an RPF will be issued seeking tenants to fill the building with organizations that service the community.

- ** MAYOR RILLING MOVED TO , APPROVE A SPECIAL CAPITAL APPROPRIATION IN THE AMOUNT OF \$500,000 OF WHICH \$300,000 WILL COVER THE CITY'S PURCHASE OF THE REMAINING ONE HALF INTEREST OF THE BUILDING LOCATED AT 98 SOUTH MAIN STREET, AND \$200,000 WILL COVER ESTIMATED FUTURE CAPITAL IMPROVEMENTS AND REPAIRS TO THE PROPERTY.**
- ** THE MOTION FAILED WITH THREE VOTES IN FAVOR AND THREE VOTES IN OPPOSITION (MR. FRAYER, MR. JELLERETTE, AND MR. FEIGENBAUM).**

Mayor exited the meeting at 8:06 p. m.

5. ADDITIONAL INFORMATION (SECTION D)

Special Appropriation

Status of Contingency

Financial reports

Oak Hills Financial Status – May 2018

Year-to-date Capital Budget Report – FY 2017-18

Year-to-date Operating Revenues Report – FY 2017-18

Year-to-date Operating Expenditure Report – FY 2017-18

Year-to-date BOE Operating Expenditure Report – FY 2017-18

Tax Collector's Narrative - May 2018

Tax Collector's Report - June 2018

Salary accounts

Police

Fire

Public Works

Mr. Barron stated that Oak Hills YTD July 2017 –May 2018, revenues are about \$51,000 better than the same period of the previous year. Total Expenses are \$62,000 higher than the same period of the previous year. Net Operating Income is \$11,317 worse than the same period of the previous year.

ADJOURNMENT



VII. C

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 

RE : 98 SOUTH MAIN STREET – LEASE WITH YMCA

DATE: JANUARY 22, 2020

As you may know, subsequent to NEON Inc.'s departure from 98 South Main Street a few years ago, the City acquired the remaining ownership shares of the building from South Norwalk Community Center. Currently, the City is the sole owner of the property. The building was constructed around 1984. It is a two story structure with a total of approximately 22,000 square feet. For over 30 years, this building had served the community well and is in need of major renovation. Due to potential building operating issues and the need for the City to develop a comprehensive long term use strategy for the building, the City had not seek full tenancy of the building. At the present time, there are only two tenants in the building (Americare and South Norwalk Community Center) which occupy a small portion of the building.

About a year ago, the City issued a Request for Proposals (RFP) to lease the entire building for community service functions. We received one proposal from the Riverbrook Reginal Young Men's Christian Association, Inc. (YMCA). A review committee was established which included Common Council and staff members. YMCA proposes to provide family and children services which include health/wellness and community services programs. The proposal is based on a long term lease and incorporates a capital funding package (including private, City and State funds) necessary to implement major building renovations. The proposal also addresses future operating and maintenance/repair responsibilities. Based on our meetings with the YMCA, Law Department has developed the attached proposed lease terms. The Land Use and Building Management Committee reviewed and recommended the approval of the proposed lease terms in December and referred its recommendation to the Planning Commission in accordance with Connecticut State

Statutes- Section 8-24. The Planning Commission reviewed and recommended the approval as well at its December 10, 2019 meeting.

At this time, on behalf of the Land Use and Building Management Committee, I am hereby referring the proposed lease terms and information regarding the YMCA's proposal to the Common Council for final action. Concurrently, City's funding contribution to the renovation of this building (which was previously tabled by the Council) will be re-introduced under Finance & Claims Committee portion of the Council agenda.

ACTION REQUESTED:

Authorized the Mayor, Harry W. Rilling, to execute a lease agreement and all other necessary documents with The Riverbrook Regional Young Men's Christian Association, Inc. (YMCA) for the capital improvements, use/occupancy of the building and continued maintenance/repair/improvement of City owned building located at 98 South Main Street. Terms of the lease agreement shall be as outlined in the Lease Term Sheet in memo prepared by Darin Callahan, Assistant Corporation Counsel dated November 27, 2019

Cc: Laoise King, Chief of Staff
Darin Callahan, Assistant Corporation Counsel

MEMORANDUM

To: Land Use & Building Management Committee Members
Planning Commission Members
Common Council Members

From: Darin L. Callahan, Assistant Corporation Counsel

Cc: Mario F. Coppola, Corporation Counsel
Alan Lo, Director of Land Use & Building Management

Date: November 27, 2019

Re: Lease of 98 South Main Street to The Riverbrook Regional YMCA

Dear Committee Members,

As you are aware, the City of Norwalk (the "City") solicited bids ("RFP 3957") from qualified organizations interested in renovating and leasing 98 South Main for the purpose of providing community-based programming. The Riverbrook YMCA ("YMCA") was the successful bidder.

Our Department, in coordination with Land Use and Building Management, has worked with the YMCA for several months to develop a lease term sheet detailing the parties' general understanding on lease and renovation terms in contemplation of preparing a formal lease. The lease term sheet is attached hereto as Exhibit 1 with key parts summarized below. The programming proposed by the YMCA is attached hereto as Exhibit 2 and includes over 35 different phased in programs the YMCA intends to offer the Norwalk community out of 98 South Main.

The initial terms of the lease is for 30 years with two options to renew for ten year each. While the YMCA's base rent will be recital, costs associated with maintaining the basic functions of stability to the foundation, load-bearing walls, floor slabs, columns and joists, roof and parking lot will be amortized over the course of the useful life of the applicable repair

and charged back to the YMCA as additional rent. The YMCA will be responsible for the costs of all utilities as well as all general maintenance and repairs. The City will assume the costs of maintaining and repairing all subgrade sewer and plumbing lines.

The arrangement contemplates a \$4,000,000 interior and exterior renovation project proposed in the YMCA's RFP response with minimum funding from the following sources: \$1,000,000 by the YMCA; \$1,000,000 by the City; and \$2,000,000 from YMCA fund raising, grants from the State of Connecticut, and funds assembled by the YMCA in partnering with other agencies and organizations, e.g. the Norwalk Housing Authority. The term sheet identifies milestones by which the financing needs to be in place and construction must commence targeting project completion by the end of 2023.

I would be pleased to answer any questions or concerns you have regarding this matter.

Lease Term Sheet

Land: 98 South Main Street, South Norwalk, CT (the "Land").

Landlord: City of Norwalk, CT (the "Landlord")

Tenant: The Riverbrook Regional Young Men's Christian Association, Inc. (the "Tenant")

Building: Approximately 21,456 square feet on two floors (the "Building").

Lease Premises: The Land and Building.

Permissible Use: Neighborhood YMCA and all ancillary programming consistent with the programming proposed by the Tenant in its RFP Response (See "Schedule A" attached hereto).

Commencement: Upon execution of a Lease Agreement.

Lease Term: Thirty (30) years from the Commencement Date.

Early Termination: Standard commercial lease termination provisions shall be included in the Lease. Additionally, the Landlord shall have the right to terminate in the event that the Critical Construction Milestone are not satisfied by the Tenant, or in the event that Tenant discontinues providing Permissible Use programming.

Rent:

1. Base Rent: The annual Base Net Rent during the Lease Term shall be One Dollar and 00/100 Cents (\$1.00).

2. Additional Rent: All costs incurred by the Landlord for (i) Infrastructural Repairs (except those associated with the Initial Alteration and Improvement Work); and (ii) in performing lease obligations which Tenant fails to perform in accordance with the terms and conditions of Lease upon written notices and expiration of right to cure. The cost of Infrastructural Repairs shall be amortized over the course of the useful life of the applicable repair at a rate to be determined and

payable by Tenant as Additional Rent in equal quarterly installments.

Maintenance, Repairs and Renovation Work:

1. Gen. Maint. & Repairs: Except for Infrastructure Repairs, Subgrade Infrastructure, and Initial Alteration and Improvement Work, Tenant shall be responsible for all maintenance and repair work to the Leased Premises as its sole cost and expense ("GMR Work").

2. IAI Work: Initial Alteration and Improvement Work shall be performed by Tenant with prior approval by the Landlord which shall not be unreasonably withheld. The term "Initial Alteration and Improvement Work" means pre-occupancy repairs identified by the Tenant, unrelated to Renovation Work, which the Landlord reasonably determines are necessary for the Tenant to commence Stage 1 Programming as set forth in Schedule A. The Landlord shall reimburse the Tenant for fifty percent (50%) of the cost of Initial Alteration and Improvement Work in an amount not to exceed Two Hundred Thousand Dollars and 00/100 Cents (\$200,000.00) in the aggregate (the "Landlord's IAI Work Budget"), provided that, said work qualifies as a facility improvement (the general scope of which is to be mutually agreed upon between the parties prior to lease execution) to the Premises, as determined by the Landlord in exercise of its reasonable discretion.

In the event that the Landlord's reimbursements to the Tenant for Initial Alteration and Improvement Work are less than the Landlord's IAI Work Budget, the remaining balance (the "IAI Work Budget Balance") shall be re-allocated to the Landlord's Renovation Work Budget.

3. Renovation Work: Renovation Work shall be performed by Tenant. The Term "Renovation Work" means the renovation project of the Leased Premises proposed by the Tenant within its RFP Response, including, but not limited to, the proposed conceptual design, in conjunction with the Tenant's roll out of all aspects of the Staging of Programs & Services set forth therein.

The Tenants shall engage appropriate professionals in performing aspects of the Renovation Work, including, but not limited to, an Architect approved by the Landlord, which such approval shall not unreasonably be withheld. Additionally, the Tenant shall use a Construction Manager At-Risk (GMP) Deliver Method in performing the Renovation Work through a Construction Manager approved by the Landlord, which such approval shall not unreasonably be withheld.

Renovation Work shall require approval of the Landlord's Land Use Committee, with resubmission required in the event of material changes thereto upon completion of the Construction Documents.

Provided the Architect's Design Development Documents (and the Construction Documents, if applicable) have been approved and the Tenant Renovation Work Budget obligation has been satisfied on or before the Construction Funding Deadline, the Tenant may access the Landlord Renovation Funds to pay for the Landlord's pro rata share of Renovation Work construction costs on a percentage of completion basis (as certified by Tenant's Architect) as follows: 15%, upon commencement of construction; 25%, upon 25% progress toward substantial completion, 25%, upon 50% progress toward substantial completion, 25%, upon 75% progress toward substantial completion; 5%, upon substantial completion, 5%, upon completion of all punch list items.

Commencement of the Design Phase of the Renovation Work by [December 31, 2020], construction phase of the Renovation Work by [December 31, 2021], and completion of said construction by December 31, 2023] shall each be deemed Critical Construction Milestones.

4. Infrastructure Repairs:

Commencing upon issuance of the Certificate of Occupancy for the Renovation Work and continuing throughout the remaining Term of the lease, Landlord shall perform all Infrastructure Repairs which the Parties, acting in good faith, agree are necessary.

The term "Infrastructure Repairs" mean repairs that are essential to maintaining the basic functions of stability to the foundation, load-bearing walls, floor slabs, columns and joists, roof and parking lot of the Leased Premises. Infrastructure Repairs shall be charged back to the Tenant as Additional Rent as set forth above.

- 5. Subgrade Infrastructure:** Landlord shall maintain and repair all subgrade sewer and plumbing lines ("Subgrade Infrastructure") at its sole cost and expense.

Minimum Budget & Financial Milestone:

- 1. Minimum Budget:** The minimum Budget for the Renovation Work shall be [\$4,000,000.00] (the "Minimum Renovation Work Budget").

- 2. Allocation:** The Landlord shall be responsible for \$1,000,000.00, plus the IAI Work Budget Balance (the "Landlord Renovation Funds"). The Tenant shall be responsible for the balance necessary to fully fund the Minimum Renovation Work Budget, plus any construction cost overruns (the "Tenant Renovation Fund Budget").

- 3. Proof of Funds:** The Tenant shall provide "proof of funds" statement from its bank, or otherwise prove to the satisfaction of the Landlord, that it has secured the requisite funds to fully fund the Tenant Renovation Work Budget no later than [December 31, 2020] (the "Budget Funding Deadline") which shall be deemed a Critical Construction Milestone, and within thirty (30) days of receipt of the Trade Bids from its Construction Manager (the "Construction Funding Deadline").

- 4. Revised Budget:** In the event Tenant is not able to secure the requisite funds to fully fund the Tenant Renovation Work Budget by the Budget Funding Deadline, the scope of the Renovation Work, at Tenant's option, may be redesigned to accommodate a revised project. In such event, the Minimum Renovation Work Budget will decrease in relation to the revised project.

- Renewal Option:** So long as Tenant is not in default under the terms of the Lease, Tenant shall have two additional ten (10) year options to renew the Lease at a rental rate of

\$1.00 per year plus any "pass through" expenses due to Capital Repairs. Tenant shall provide Landlord with not less than twelve (12) months prior written notice of Tenant's exercise of any renewal option, and Landlord shall provide the Tenant with a written notice within sixty (60) days thereafter confirming the rental rate for the renewal period.

Utility Expense:

All utilities servicing the Leased Premises shall be separately metered and paid for by the Tenant.

Security:

Tenant shall have the right to install its own security system to service the Leased Premises, and, except in the event of an emergency, Landlord shall have access to the Leased Premises with 24 hours notice to Tenant.

Assignment & Subletting:

Tenant shall have the right to assign or sublet the Leased Premises consistent with the Tenant's Permitted Uses subject to Landlord's consent, which consent shall not be unreasonably withheld, conditioned, delayed or denied, and said assignment of sublease may provide that another entity will pay a portion of costs associated with its occupancy, but the Tenant is not permitted to charge another entity "rent".

Current Occupants:

Tenant recognizes that Americares operates a free clinic that occupies approximately _____sf of space at the Leased Premises, and Tenant agrees that Americares shall continue to have the right to occupy the same amount of space within the Leased Premises so long as it pays the Tenant for the proportionate share of costs associated with its occupancy. Tenant further recognizes that the Landlord executed an agreement with the South Norwalk Community Center, Inc. ("SNCC") in which the SNCC has a right to occupy approximately 700 sf at the Leased Premises for a five (5) year period of time commencing on June 1, 2019 and continuing through May 31, 2024 at the rate of \$1,750 per year with a five (5) year extension option at the same rate. The Tenant shall be entitled to a monthly reimbursement from Landlord equivalent to the total costs associated with SNCC's occupancy. Provided Landlord and Tenant are in agreement as to timing

and location, either party shall have the right to relocate SNCC to other areas within the Leased Premises so long as the requesting party pays for all relocation costs. The Tenant acknowledges and understands that the Landlord does not have a contractual right to relocate Americares; however, provided the Tenant requests such relocation and pays the relocations costs, the Landlord agrees to use its best efforts to relocate Americares.

Parking:

TBD.

Signage:

All signage shall be designed in accordance with state and local standards. Tenant, at its sole expense, may install exterior building signage (displaying the YMCA national and regional branding as applicable) in a prominent location, subject to Landlord's reasonable review and compliance with the City of Norwalk municipal code.

Ryan Park:

As a condition of the Lease, the Landlord will confirm in writing its commitment to work with the Tenant to develop a mutually agreeable long term use agreement for Tenant's access and use of Ryan Park for programming and summer camp.

Commissions:

Tenant represents to Landlord that it has not dealt with any real estate broker, salesperson or finder in connection with this transaction.

Non-Binding:

No agreement except a fully executed and delivered Lease Agreement shall create any legally binding obligation for either Landlord or Tenant.



NORWALK YMCA: Staging of Programs & Services

Exhibit 2

NAME	STAGE 1 (Building "as is" - cosmetic & mechanical upgrades)	STAGE 2 (3-4 classrooms renovated)	STAGE 3 (Building completely renovated)
Race4Chase	2		
Swim Access	2		
Live5Strong	2		
Smoking Cessation	2		
Healthy Weight & Your Child	3		
Blood Pressure Self-Monitoring	6		
Enhance Fitness	2		
Diabetes Prevention	2		
Community Health Lectures	2		
Parkinson Delay the Disease	10		
Healthy Kids Day	2		
Walking Club	2		
Asthma		2	
Afterschool Enrichment		2	
Community Family Fitness Nights		2	
Afterschool (NHA)		2	
Aspire		2	
A Matter of Balance		2	
Recreation Programs (Ryan Park)		2	

Summer Camp				
Rowing				
Child Care				
STEM/STEAM (TASC – Teen Action Science Crew)				
Tutoring				
Youth Safety Violence Prevention Mentoring				
Urban Gardening				
Creating a Healthy Black History for the Future				
Halloween Family Night				
Breakfast with Santa				
ESL				
Employment Training				
College Readiness				
Computer Training				
Togetherhood				
Youth & Government				
Parenting Skills				
National Walking Day				
Grandparents Day Celebration				
Diversity Awareness Day				
Swim Access (Adults)				
Visual Arts				



NORWALK YMCA

Riverbrook Regional YMCA





RIVERBROOK REGIONAL YMCA

OUR HISTORY SERVING NORWALK

OUR MISSION

The Riverbrook Regional YMCA is a charitable organization dedicated to maximizing the personal potential of all individuals in the community.

THE YMCA IN NORWALK

- The YMCA has been serving the Norwalk community since 1920
- While no longer having a physical presence in Norwalk, the organization has continued to offer after-school programs and summer camps to children, evidence based health initiatives and built relationships with community organization



NORWALK YMCA

OUR IMPACT

Commitment to YOUTH DEVELOPMENT

- 1,500 youth received free swim lessons through swim access
- 92 kids benefit from licensed after school at Columbus and Fox Run schools
- 88 youth take part in a free summer camp RACE FOR CHASE triathlon program
- 151 campers participated in a 8-week summer camp
- 60 kids and families enjoy free weekly Family Nights





NORWALK YMCA

OUR IMPACT

Commitment to HEALTHY LIVING



- Empowering 20 kids to fight childhood obesity through Healthy Weight and Your Child
- 850 adults served and receiving chronic disease management programs: Livestrong, Diabetes Prevention, Enhance Fitness, Delay the Disease, Blood Pressure Self Monitoring Program
- 90 children receiving health and wellness programs in After the Bell
- 7 after school sites participate in Fit Kids
- Western Connecticut Health Network, YMCA and Norwalk Hospital form Healthy Living Partnership



NORWALK YMCA

OUR IMPACT

Commitment to SOCIAL RESPONSIBILITY

- Transforming neighborhoods with the Norwalk Housing Authority
- Hosted The Hour's Health and Wellness Fair & 3 FREE Healthy Kids Days

PARTNERS

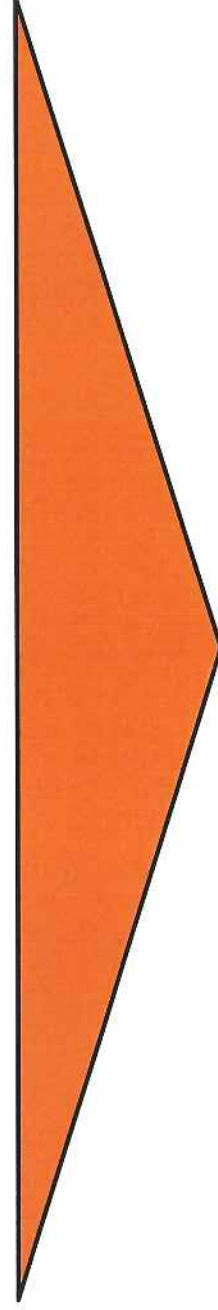
Americares
Person to Person
Norwalk Housing Authority
Open Door Shelter
Norwalk Public Schools
Carver Community Center
Kingsway Assisted Living
Norwalk Community Health Center

Norwalk Hospital
Norwalk Senior Center
Norwalk ACTS
Norwalk Health Department
Family and Children's Agency
Norwalk River Rowing
Norwalk Healthy Living Workgroup
Mount Zion Baptist Church





OVERALL VISION FOR COMMUNITY



FAMILIES ARE THRIVING

EXPANSION GOAL #1

HEALTH & WELLNESS:
Children, youth, adults
are physically and
mentally healthy

A YMCA will bring:

- Chronic Disease Programs:
 - Diabetes Prevention
 - Childhood Obesity
 - Smoking Cessation
 - Blood Pressure Management
 - Livestrong
 - Enhance Fitness
 - Cardiac Programs
 - Asthma
- Fitness Center
- Exercise Classes/Clubs
- After the Bell Youth Fitness
- Wellness Consultations

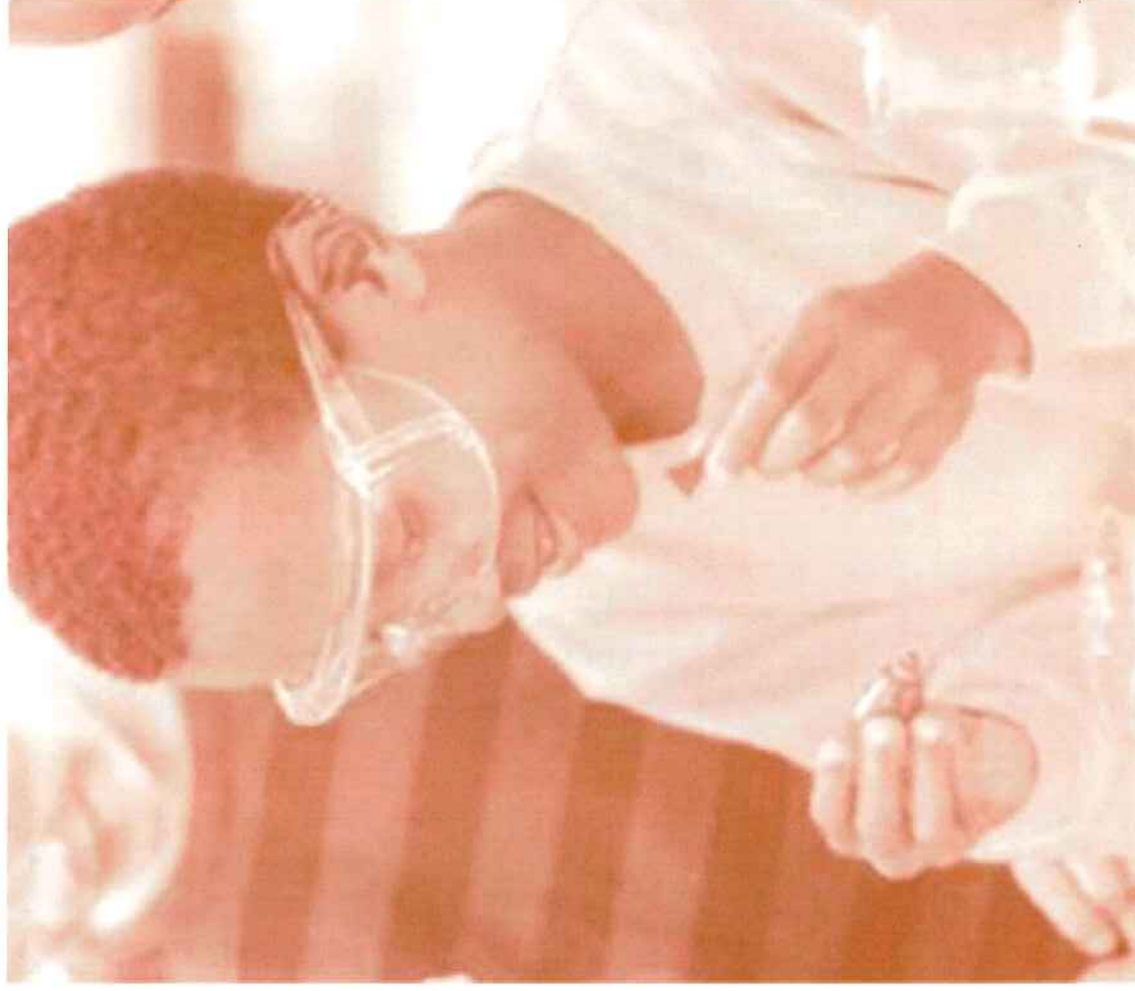


EXPANSION GOAL #2

EDUCATION & YOUTH: Children and youth are successful in school and life

A YMCA will bring:

- Youth & Government
- STEM/STEAM
- Summer Learning Loss Prevention Program
- Camp (Summer and School Vacations)
- Youth Safety and Violence Prevention Mentoring
- Parenting Skills Workshops
- After School Tutoring
- Swim Access Program



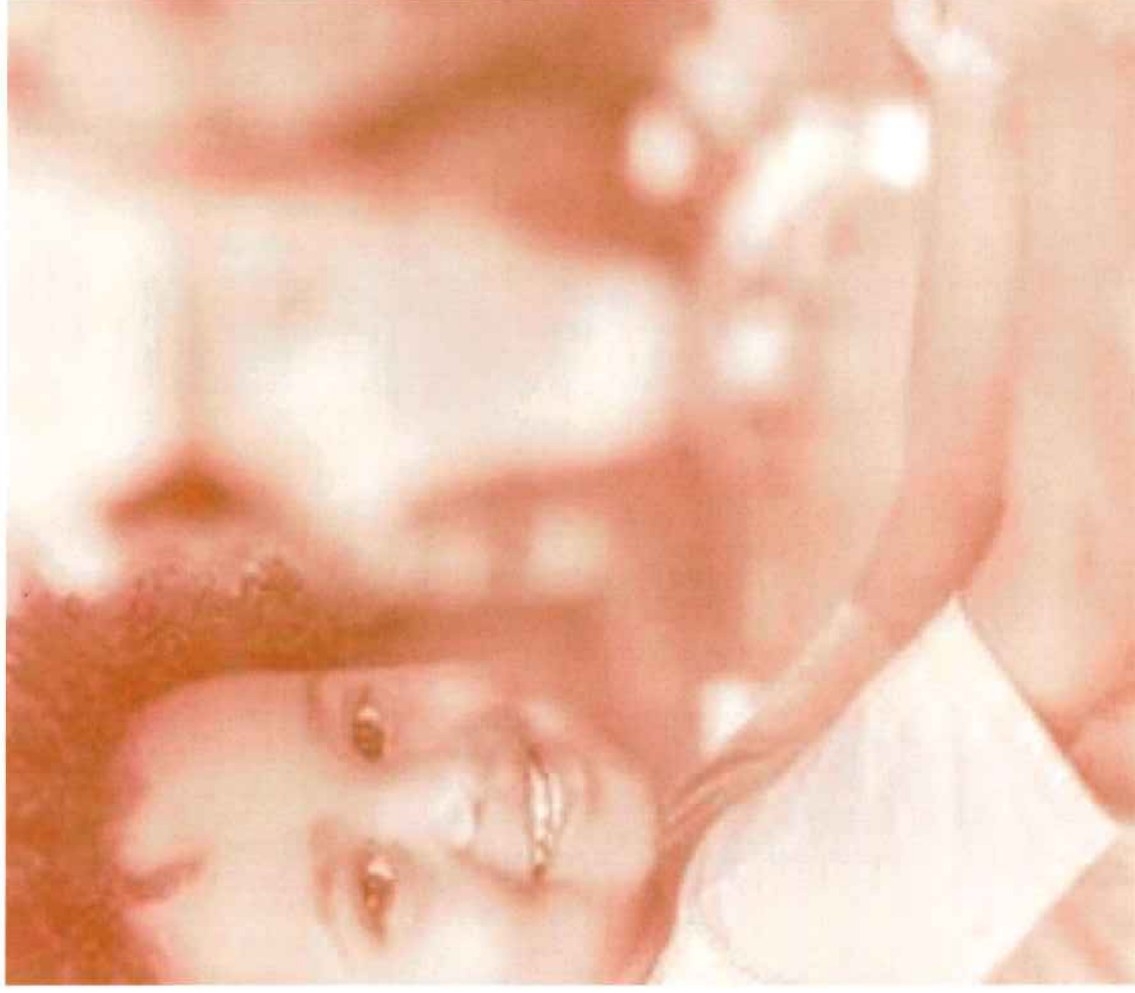
EXPANSION GOAL #3

EMPLOYMENT & WORK:

Households are economically stable and self-sufficient

A YMCA will bring:

- ESL/Path to Fluency
- Childcare
- After School and Camps
- Employment Training
- College Readiness
- Computer Training



EXPANSION GOAL #4

COMMUNITY

BUILDING:

People feel a place of belonging and engage in programs for social connectivity

A YMCA will bring:

- Community Events
- Mentoring Opportunities
- Senior Activities
- Togetherhood Volunteer Program
- Family Nights
- Health & Wellness Fair
- Multi-purpose space for partnership opportunities





STRETCH SCOPE EXTERIOR

COMMONS SPINE

VENUES



MULTI-PURPOSE

VENUES



TEEN CENTER

VENUES



COMMUNITY KITCHEN

VENUES



ARTS - MUSIC

VENUES



ARTS - VISUAL

VENUES



STEM

VENUES





CITY OF NORWALK
Paul L. Sotnik, P.E.
Senior Civil Engineer
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Norwalk City Hall
125 East Avenue, P.O. Box 5125
Norwalk, CT 06856-5125

MEMORANDUM

TO: Deanna D'Amore – Director of Health

FROM: Paul L. Sotnik, P.E. - Senior Civil Engineer *P.L.S.*

CC: Anthony Carr, P.E., C.F.M. – Chief of Operations and Public Works
Dominick Di Gangi, P.E. – First Taxing District General Manager

REF: Request For Additional Street Lighting

DATE: January 14, 2019

Per our conversation, the Department of Public Works has received an e-mail from Mike Mushak and David Westmoreland requesting that a street light be installed on the existing utility pole at the southwest corner of the intersection of St. Paul's Place and Park Street. The pole is located on the northwest corner of the Green. There is currently no street light on that pole and it is at the intersection of the two streets.

I have reviewed the request with the Chief of Operations and Public Works, as well as Dominick Di Gangi, the General Manager of the First Taxing District and feel that the additional light at this location would provide a greater level of safety at this intersection. The Department is requesting that one (1) new 31 Watt LED street light be installed on the existing utility pole (see attached plan). Mr. Jeffrey Baxter from Eversource has previously indicated that the cost of the electricity for the 31 Watt LED light is approximately \$20.00 per month per light. I have attached copies of the e-mail to the Chief of Operations and Public Works requesting the light, the Outdoor Photometric Reports for the 31 LED light fixture provided by Eversource Electric, as well as a spreadsheet indicating the Requested Street Light Location and Estimated Cost for your reference.

Therefore, I would like to request that the following item be included on the agenda for the January 23, 2020 meeting of the Health and Public Safety Committee of the Common Council for approval, if the Committee determines that they would like to move forward with it.

- 1.) Authorize the Department of Public Works to have Eversource Electric to install one (1) new street on the existing utility pole at the southwest corner of the intersection of St. Paul's Place and Park Street in accordance with the attached plan at an approximate cost of \$20 per month, to be paid for from Account No. 0140 21-5241.

If you have any questions, please do not hesitate to contact me.



City of Norwalk
125 East Avenue
Norwalk, CT 06856
Office: (203) 854-7792
Fax: (203) 857-0143
E-mail: acarr@norwalkct.org
www.norwalkct.org
[Like us on Facebook](#)

From: Mike Mushak
Sent: Sunday, December 8, 2019 2:55 PM
To: Carr, Anthony <acarr@norwalkct.org>
Cc: Yeosock, Mike <MYEOSOCK@norwalkct.org>; Hebert, Kathy <KHEBERT@norwalkct.org>; Casey, Jessica <jcasey@norwalkct.org>; David Westmoreland <dwestmoreland@norwalkct.org>; Rilling, Harry <hrilling@norwalkct.org>
Subject: Missing streetlights on St. Paul's Place

CAUTION: EXTERNAL Email: Don't open links or attachments from untrusted senders

Anthony,

We're not sure who is responsible for streetlights in this location on St Paul's Place between Park Street and East Ave, but almost 2 years ago a large tree blew over on the green and took out 2 utility poles, one of which had a streetlight on it directly on front of the entry to our church, St Paul's on the Green.

Both poles were replaced but the streetlight was never replaced. This area is dangerously dark at night especially considering the church is used after dark and folks park on that street for various evening services and events at the church and even at the green at times.

St. Paul's Place is also a very busy cut-through for traffic bypassing the 5-way intersection on the other side of the green at East Wall, as well as the busy North Ave/Westport Ave (Route 1) and East Avenue light that limits left turns at peak times from northbound East Ave to southbound North Avenue.

For this reason it makes sense to have another streetlight on the pole on the corner right over the stop sign at the intersection, where there wasn't a light previously but you can observe how dark that intersection is if you go there after dark. The streetlights nearby on Park Place don't reach this intersection, and I believe all intersections in built-up areas like this should be lit up at night for safety reasons. Every other pole on the green has a streetlight on it, except for this one on the corner, and of course the one that was not replaced in front of the church entry after the tree fell.

So we'd like to request 2 new streetlights here to make the area safer for both pedestrians and cars on this busy stretch, one to replace the missing one seen in the photo attached (taken off Google Earth before the tree fell) and a new one on the corner pole at Park Street as indicated to light up the dark intersection that I think we'd all agree should be illuminated to improve safety here.

Thank you in advance for addressing this. If you need anything else from us let us know.

Mike Mushak
David Westmoreland

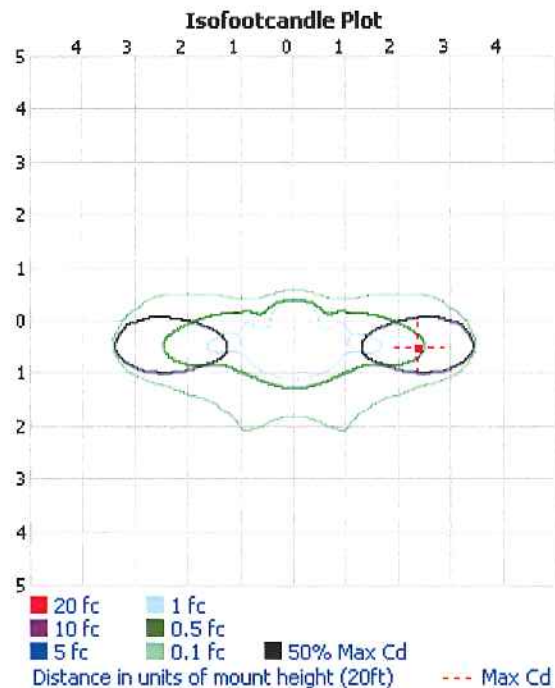
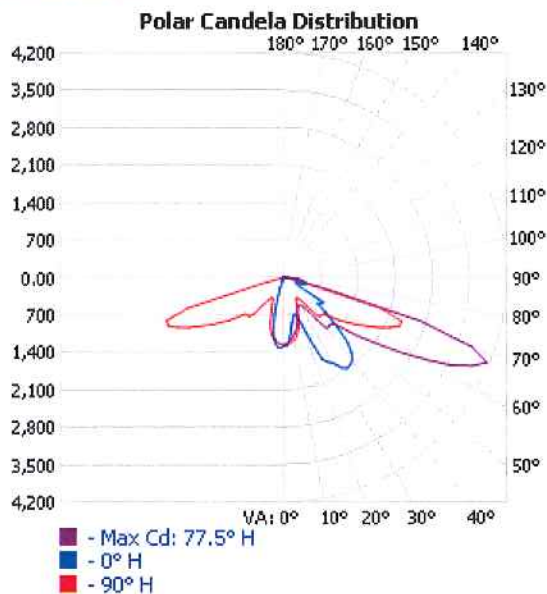


Sent from my iPhone

OUTDOOR PHOTOMETRIC REPORT

CATALOG: ATBS C XXXXX R2 3K

TEST #: 107413P37
 TEST LAB: SCALED PHOTOMETRY
 TEST NOTES: SCALED FROM ABSOLUTE TEST: 107413P0
 TEST DATE: 10/25/2016
 CATALOG: ATBS C XXXXX R2 3K
 DESCRIPTION: ATBS C PERFORMANCE PACKAGE, 3000K COLOR TEMPERATURE, ROADWAY TYPE II DISTRIBUTION
 SERIES: AUTOBAHN ATBS
 LAMP CATALOG: LED
 LAMP: LED
 LAMP OUTPUT: TOTAL LUMINAIRE LUMENS: 3628.1, **ABSOLUTE PHOTOMETRY ***
 BALLAST / DRIVER: **LED DRIVER, LED DRIVER**
 INPUT WATTAGE: **31**
 LUMINOUS OPENING: CIRCULAR (DIA: 11.04")
 MAX CD: 4,142.9 AT HORIZONTAL: 77.5°, VERTICAL: 67.5°
 ROADWAY CLASS: MEDIUM, TYPE I



*TEST BASED ON ABSOLUTE PHOTOMETRY WHERE LAMP LUMENS=LUMENS TOTAL.

*CUTOFF CLASSIFICATION AND EFFICIENCY CANNOT BE PROPERLY CALCULATED FOR ABSOLUTE PHOTOMETRY.

VISUAL PHOTOMETRIC TOOL 1.2.46 COPYRIGHT 2017, ACUITY BRANDS LIGHTING.

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OUTDOOR PHOTOMETRIC REPORT
 CATALOG: ATBS C XXXXX R2 3K

ZONAL LUMEN SUMMARY

ZONE	LUMENS	% LUMINAIRE
0-30	691.1	19%
0-40	1,176.3	32.4%
0-60	2,431.1	67%
60-90	1,197.0	33%
70-100	425.6	11.7%
90-120	0.000	0%
0-90	3,628.1	100%
90-180	0.000	0%
0-180	3,628.1	100%

LUMENS PER ZONE

ZONE	LUMENS	% TOTAL	ZONE	LUMENS	% TOTAL
0-10	110.7	3.1%	90-100	0.000	0%
10-20	243.9	6.7%	100-110	0.000	0%
20-30	336.5	9.3%	110-120	0.000	0%
30-40	485.2	13.4%	120-130	0.000	0%
40-50	604.7	16.7%	130-140	0.000	0%
50-60	650.1	17.9%	140-150	0.000	0%
60-70	771.5	21.3%	150-160	0.000	0%
70-80	365.0	10.1%	160-170	0.000	0%
80-90	60.6	1.7%	170-180	0.000	0%

ROADWAY SUMMARY

DISTRIBUTION:	TYPE I, MEDIUM	
MAX CD, 90 DEG VERT:	0.000	
MAX CD, 80 TO <90 DEG:	616.6	
	LUMENS	% LAMP
DOWNWARD STREET SIDE:	2,961.0	81.6%
DOWNWARD HOUSE SIDE:	667.8	18.4%
DOWNWARD TOTAL:	3,628.8	100%
UPWARD STREET SIDE:	0.000	0%
UPWARD HOUSE SIDE:	0.000	0%
UPWARD TOTAL:	0.000	0%
TOTAL LUMENS:	3,628.8	100%

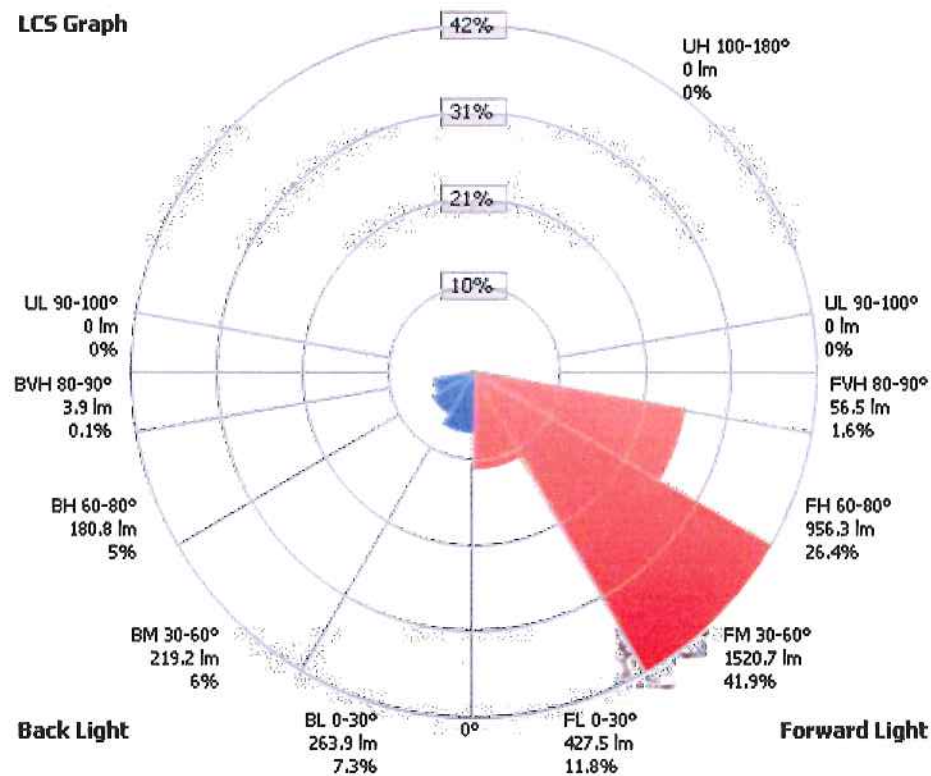
LCS TABLE

BUG RATING	B1 - U0 - G1	
FORWARD LIGHT	LUMENS	LUMENS %
LOW(0-30):	427.5	11.8%
MEDIUM(30-60):	1,520.7	41.9%
HIGH(60-80):	956.3	26.4%
VERY HIGH(80-90):	56.5	1.6%
BACK LIGHT		
LOW(0-30):	263.9	7.3%
MEDIUM(30-60):	219.2	6%
HIGH(60-80):	180.8	5%
VERY HIGH(80-90):	3.9	0.1%
UPLIGHT		
LOW(90-100):	0.000	0%
HIGH(100-180):	0.000	0%
TRAPPED LIGHT:	0.000	0%

OUTDOOR PHOTOMETRIC REPORT
CATALOG: ATBS C XXXXX R2 3K



LCS Graph



Back Light

Forward Light

Scale = Max LCS %

Trapped Light: 0lm, 0%

OUTDOOR PHOTOMETRIC REPORT
 CATALOG: ATBS C XXXXX R2 3K



CANDELA TABLE - TYPE C

	0	15	25	35	45	55	65	75	85	90	105	115	125	135	145	155	165	175	180
0	1261	1261	1261	1261	1261	1261	1261	1261	1261	1261	1261	1261	1261	1261	1261	1261	1261	1261	1261
5	1128	1072	1078	1093	1112	1136	1167	1189	1219	1234	1271	1291	1304	1312	1316	1319	1322	1323	1321
10	845	817	828	854	891	939	992	1052	1124	1164	1240	1247	1251	1229	1211	1189	1170	1164	1112
15	708	737	771	796	813	830	864	900	951	990	1064	1051	1009	952	880	824	783	762	681
20	912	1003	968	932	880	818	770	725	702	721	782	754	690	611	516	440	377	342	289
25	1679	1639	1492	1301	1135	989	824	634	528	522	543	501	422	336	244	176	147	138	99
30	1846	1819	1711	1529	1328	1108	873	637	480	439	372	293	202	132	88	72	65	64	63
35	2065	1960	1795	1542	1343	1271	1110	813	594	504	324	186	107	75	62	59	59	59	57
40	1992	1874	1755	1543	1319	1221	1204	1246	1046	876	391	150	69	53	49	52	57	58	57
45	1657	1598	1608	1544	1406	1298	1235	1230	1094	980	414	112	54	47	48	55	63	61	60
50	1008	974	1074	1204	1308	1418	1538	1551	1349	1154	331	65	48	43	44	57	55	51	49
55	856	707	585	593	869	1288	1996	2275	1793	1472	366	56	41	37	36	40	45	37	36
60	367	472	638	651	565	776	2323	3229	2320	1813	411	52	37	31	29	31	33	33	31
65	226	459	599	512	572	707	2003	3981	2999	2206	442	54	35	27	26	27	28	28	28
70	343	513	568	532	291	651	1140	3396	3363	2356	393	54	29	21	20	20	22	21	19
75	406	450	395	279	149	196	506	648	917	457	68	39	25	16	15	13	13	13	13
80	337	338	274	142	69	77	279	396	68	27	16	16	15	12	11	12	12	11	10
85	219	200	161	53	23	27	41	177	73	15	9	8	7	6	6	5	6	6	5
90	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

REQUESTED STREET LIGHT - LOCATION AND ESTIMATED COST

<u>Location</u>	<u>Fixed Cost</u>	<u>Monthly Cost</u>	<u>Notes</u>
St. Paul's Place - Intersection	\$ -	\$ 20.00	1 New Light at \$20/Mo./Light
TOTAL	\$ -	\$ 20.00	