

**CITY OF NORWALK
LAND USE AND BUILDING MANAGEMENT
REGULAR MEETING
MARCH 6, 2024**

ATTENDANCE: Barbara Smyth, Chair; Greg Burnett, Heather Dunn, Jim Frayer, Jenn McMurrer, Dajuan Wiggins, Nicol Ayers (7:04 p.m.)

OTHERS: Alan Lo, Building Management Director

CALL TO ORDER

Council Member Smyth called the meeting to order at 7:03 p.m.

ROLL CALL

Council Member Smyth announced the members of the Committee in attendance. A quorum was present.

PUBLIC HEARING

Proposed equal exchange of land swap (approximately 2,000 square feet) at City owned Fodor Farm on Flax Hill Road with adjacent property owner at 25 Pogany Street.

Council Member Smyth opened the Public Hearing on the proposed equal exchange of land swap (approximately 2,000 square feet) at City owned Fodor Farm on Flax Hill Road with adjacent property owner at 25 Pogany Street at 7:04 p.m.

She asked if there was anyone present who wished to speak on the item. There was no response.

Council Member Ayers joined the meeting at 7:04 p.m.

Council Member Smyth closed the public hearing at 7:05 p.m.

PUBLIC PARTICIPATION

Council Member Smyth reviewed the rules for public participation. She asked if there was anyone present who wished to address the Committee at this time.

Mr. Brian Meek of Cranbury Ridge Road, Norwalk, greeted the Committee. He said that he felt that they were overpaying for the land in South Norwalk. He said that Curries' Tire had just sold and that property was twice the size of some of the parcels in South Norwalk.

APPROVAL OF MINUTES

• February 7, 2024

**** COUNCIL MEMBER MCMURRER MOVED THE MINUTES OF THE FEBRUARY 7, 2024 MEETING.**

**** THE MOTION TO APPROVE THE MINUTES OF THE FEBRUARY 7, 2024 MEETING AS SUBMITTED PASSED UNANIMOUSLY.**

OLD BUSINESS

Review request for land swap (approximately 2,000 square feet) at City owned Fodor Farm on Flax Hill Road with adjacent property owner at 25 Pogany Street. Subject to recommendation of the Committee, this item will be forwarded to the Planning and Zoning Commission for Section 8-24 Review in accordance with State Statutes and be forwarded to the full Common Council for final action thereafter.

**** COUNCIL MEMBER DUNN MOVED THE ITEM.**

Council Member Smyth said that the Committee had discussed this particular item several times. Mr. Lo said that it was an equal swap of land. He said that the property previously was abandoned and inhabited by wildlife. The City hoped to have the building renovated. Mr. Peoples would like to swap the bordering property for some open land rather than his property, which would require the cutting down a number of trees on it. There is no wetlands on the parcel and it is of equal value. Mr. Lo said that there had been a survey done, but the report was not yet completed.

**** THE MOTION PASSED UNANIMOUSLY.**

NEW BUSINESS

A. Review recommendation for Construction Manager for the Norwalk Community Recreation Center and refer recommendation to the Common Council for action:

“1. Authorize the Mayor, Harry W. Rilling, to execute an agreement with Newfield Construction Group LLC as the Construction Manager for the Norwalk Community Recreation Center at 98 South Main Street. Terms of the agreement shall include:

- Preconstruction Services - \$17,000**
- CM Fixed Fees – 1.95%**
- CM Contingency-1.5% (balance revert to the City at project completion)**
- General Conditions fee - \$519,785 (actual amount to be determined at the time of Guaranteed Maximum Price GMP)**

Subsequent to trade contractors' bidding, final GMP amendment will be submitted to the Common Council for approval. Funds for the Preconstruction Phase for this agreement are available from ARPA funds – Acct. #134030-5796-ABL01

2. Authorize Building Management to issue Change Orders on Contract (example destructive testing) for a total not to exceed \$10,000.00 Acct. #134030-5796-ABL01”.

**** COUNCIL MEMBER DUNN MOVED THE ITEM.**

Mr. Lo said that the City was starting the design phase. It is important to hire a construction manager at this time to handle the pre-construction details. This should be completed by September or October. ARPA funding requires the construction to start before the end of the year. A couple of Council Members have reviewed the project. The \$529,785 amount for general conditions is an estimate. After reviewing the submission, the selection committee is recommending Newfield Construction. Newfield is already involved in a number of construction projects for the City at this time.

Council Member Smyth said that Newfield had done quite a bit of work for the City and they had always done excellent work.

**** THE MOTION PASSED WITH SIX (6) IN FAVOR (SMYTH, AYERS, BURNETT, DUNN, FRAYER, AND MCMURRER) AND ONE (1) ABSTENTION (WIGGINS).**

B. Review request to provide relocation assistance relating to the acquisition of properties abutting new South Norwalk School and refer the following to the Common Council for action:

“Authorize Building Management to process relocation payments to residential tenants, residential owners and businesses at 28, 32, 36 and 38 Oxford Street and 16 Meadow Street Extension relating to the City’s acquisition of said properties (subject to Health Department’s review and recommendation) for a total not to exceed \$75,000. Acct. #09245010 5777 C0834 and #09225010 5777C0808”

**** COUNCIL MEMBER SMYTH MOVED THE ITEM.**

Mr. Lo said that they were going to build the new school on the old Hatch and Bailey site. He described the location of the parcel and said that there were five parcels on Oxford Street that borders the new school property. The Council Members decided to acquire the Oxford Street and the Meadow Street Extension. The Law Department is working on finalizing the purchase of the properties. State statutes require the City to relocate the families in residence on those parcels. The moving expenses and relocation are included. Mr. Mooney at the Health Department oversees the relocation of residents displaced by fire and will be monitoring these moves.

Council Member Frayer asked how they arrived at the \$75,000 dollar amount. Mr. Lo reviewed the details of the process with him. They hope to have the properties closing by the end of July of this year. One of the houses is owner occupied and this will cost more. There is also a contractor's yard on one of the parcels and this will involve paying for the materials or moving it. Mr. Lo said that he could provide the Committee with more details as the project proceeds. The relocation costs are not reimbursable by the State.

Council Member McMurrer asked for confirmation that the \$75,000 was a cap. Mr. Lo confirmed this was so. She asked about the process of relocation for the current tenants and residents. Mr. Lo said that Mr. Mooney at the Health Department would have more details about the process and gave a brief overview of the various steps. Once Mr. Mooney approves a particular rental location, Mr. Mooney will forward that information to Mr. Lo.

Council Member Smyth asked if these funds were from a separate account. Mr. Lo said that it was part of the line item in Capital Project budget for the project.

Council Member Frayer asked about the funding that is held in an account for more than five years. Mr. Lo said that it is different for school projects due to State delayed auditing, but his department monitors the funding very closely.

**** THE MOTION PASSED UNANIMOUSLY.**

C. Review request to reimburse Norwalk Public Schools for Norwalk High School transportation costs for student athletes and refer the following to the Common Council for approval:

“Authorize Building Management to reimburse Norwalk Public Schools for the costs to provide transportation for Norwalk High School student athletes to offsite locations through the spring 2024 semester as a result of the Norwalk High School development project for a total not to exceed \$15,000.00. Acct. #0918/195010 5777 C0610”

**** COUNCIL MEMBER MCMURRER MOVED THE ITEM.**

Mr. Lo reminded everyone that the new school will be on the football and softball fields. The Athletic Director at NHS has been very cooperative with this whole project. The classroom instruction and indoor sports will not be impacted. Many of the outdoor sports will be moved to Nathan Hale. The Track and Field will be done at McMahon. The City Hall track is not usable because it is not paved. Most of the tennis will be moved to the Nathan Ely site with Grassroots Tennis. The City's commitment is to provide transportation to these sites. This should only be for this semester.

They will not be using the regular school buses used for the daily routes because of the timing factor, so they will be using smaller buses. The estimate is about \$12,000 and they are requesting \$15,000 with contingency.

Council Member McMurrer asked if this was just a test. Mr. Lo said that the coaches and the transportation staff had given this project a great deal of thought. The fall sports have different teams and locations. The strategy should be finalized in the summer.

Council Member McMurrer asked if the transportation issue had been included in the building budget. Mr. Lo said they have enough funding allocated for it.

Council Member McMurrer asked about Youth Sports. Council Member McMurrer said that some misinformation about Youth Sports had been given at the last meeting. Mr. Lo said that he had misunderstood the questions and he was not involved in the Recreation portion of the sports. He apologized for this.

Council Member McMurrer said that she was working with Ken Hughes on this issue. She said that it would be important to communicate the correct information to the parents when they ask questions. Mr. Lo said that he generally avoids speaking about topics when he is not directly involved in something. This project will be very challenging and maintaining positive relationship with stakeholders is essential.

Council Member Burnett asked why the Board of Education was not funding this and the City was working on the transportation of students. He asked how many of the reimbursements the City would see on things he felt were BOE course of business costs.

Mr. Lo said that these costs were not in the Operating Budget for the BOE. Mr. Lo said that he often has discussion with BOE about which costs the City will pay for and which ones that they will not. He gave several examples, such as the security guards, or utility costs during construction. Mr. Lo said that he often acts as the gatekeeper for the City side. This happens with every project. However, this is the first time he has had to relocate a sports program.

Council Member Burnett said that it would be important to have a very clearly defined process about what could potentially be reimbursed and what the BOE should have to pay for. Everyone needs to be on the same page. Discussion followed the cost of making changes after a building is completed.

Council Member Smyth asked for clarification as to whether the City would be paying to transport the teams to away games. Mr. Lo said that the City would only pay for transporting the students to locations because the home field is impacted by the construction. The discussion moved to the possibly utilizing the public bus routes and the TMP's view point.

Council Member Frayer said that this was a good example of project creep and that the Council needs to do something positive about this before it comes before the Budget committee. Mr. Lo

said that since the transportation issued was triggered by the construction, then it was included in the budget. He added that both the BOE Finance and his department worked together to reduce the costs as much as possible.

**** THE MOTION PASSED WITH FIVE (5) IN FAVOR (SMYTH, AYERS, FRAYER, MCMURRER AND WIGGINS), ONE (1) OPPOSED (BURNETT) AND ONE (1) ABSTENTION (DUNN).**

D. Review bids for window cleaning at various City buildings and refer the following to the Common Council for action:

“Authorize the Purchasing Agent to issue a Purchase Order to Integrity Cleaning to provide annual window washing cleaning services for various city buildings for an initial term of 3 years in the amount of \$71,804.66 plus two - one (1) year options. Effective dates from 4/1/2024– 6/30/2027 and two – one (1) year options from 7/1/2027 – 6/30/2029.

**Account #s: 013055 5298 013154 5298
012012 5269 014075 5298
016210 5269 016220 5269”**

**** COUNCIL MEMBER DUNN MOVED THE ITEM.**

Mr. Lo said that it was for six buildings and the dollar amount was for three years. These are the largest buildings in the City and very visible with high public traffic.

Council Member Dunn said that she had been at the police station and noticed how dirty the windows were there. Mr. Lo said that both the Police and Fire Chiefs had requested to have the windows washed twice a year, but when the budget reductions happen, that’s one of the first things that is cut.

Council Member McMurrer said that because there was a lot of construction by the Police Department underway, she suggested that they wait until the construction finishes up before washing the windows. Mr. Lo said that he would request that the Police Department to wait until the nearby construction is completed before having the windows washed.

**** THE MOTION PASSED UNANIMOUSLY.**

MISCELLANEOUS/DISCUSSION ITEMS

There were no additional items to consider at this time.

ADJOURNMENT

**** COUNCIL MEMBER MCMURRER MOVED TO ADJOURN.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:21 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services