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Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be read into the record, they should be submitted at least three hours in advance of the meeting start time. Please email Alan Lo at alo@norwalkct.gov to provide written public comment prior to the meeting.

CITY OF NORWALK
LAND USE AND BUILDING MANAGEMENT COMMITTEE
JANUARY 3, 2023
VIA TELECONFERENCE

ATTENDANCE:	Barbara Smyth, Chair; Nicol Ayers; James Frayer; Jenn McMurrer; Dajuan Wiggins; Heather Dunn
STAFF:	Alan Lo, Building and Facilities Manager; JoAnn Acquarulo, Assistant Building and Facilities Manager; Darin Callahan, Corporation Counsel; Robert Stowers, Director of Recreation and Parks
OTHERS:	Doug Peoples, Resident; Robert Cashel, Family and Childrens Agency; Christene Freedman, CEO, YMCA; Dan Philips, Construction Solution Group

I. **<u>ROLL CALL</u>**

Ms. Smyth called the Roll as indicated above.

II. **PUBLIC HEARING**

Public hearing comments are not verbatim and represent a summarization of statements unless otherwise noted. Speakers are Norwalk residents unless otherwise noted.

A. Request for the naming of the patio at Oak Hills Park tennis facilities in honor of Mr. Arthur Goldblatt, local attorney, long-time Norwalk resident and dedicated supporter of tennis in the community with special interest in promoting tennis and education with urban kids.

Ms. Diane Lauricella spoke in support of the request and said she understood Mr. Goldblatt did a lot for the youth of South Norwalk.

Ms. Denise Brown, Oak Hills Park Authority Chair spoke in support of the request and said if there were no objections, they would like to name the patio in Mr. Goldblatt's honor.

III. **PUBLIC PARTICIPATION**

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

Ms. Diane Lauricella spoke about the news stand conversion at City Hall and asked about what type of security would be provided to keep the people protected. She suggested looking at the City of Stamford's security.

Ms. Lauricella spoke about the request for 98 South Main Street and noted a lot of resources of funding were cobbled together. She asked this Common Council to commit to having solar energy there and to green up this project with heat pumps and induction stoves. Ms. Lauricella asked that the architect for this project use renewable, green energy. Ms. Lauricella addressed the $700,000 for remediation and asked for a second opinion on that cost.

IV. **MINUTES OF PREVIOUS MEETING**(S)

Approve minutes of December 6, 2023

**** MR. FRAYER MOVED TO ACCEPT THE MINUTES AS PRESENTED**
**** MOTON PASSED WITH ONE (1) ABSTENTION (MS. MCMURRER)**

V. **OLD BUSINESS**

A. Review request for the naming of the patio at Oak Hills Park tennis facilities in honor Mr. Arthur Goldblatt and refer the following recommendation to the Common Council for action:

** MS. MCMURRER MOVED TO APPROVE THE NAMING OF THE PATIO AT OAK HILLS PARK TENNIS FACILITIES IN HONOR OF MR. ARTHUR GOLDBLATT, LOCAL ATTORNEY, LONG-TIME NORWALK RESIDENT AND DEDICATED SUPPORTER OF TENNIS IN THE COMMUNITY WITH SPECIAL INTEREST IN PROMOTING TENNIS AND EDUCATION WITH URBAN KIDS."

Ms. Smyth said this was discussed at last month's meeting and added that she was in full support. This item will go before the full Common Council next Tuesday.

** **MOTION PASSED UNANIMOUSLY**

** **MS. MCMURRER MOVED TO REVIEW REQUEST FROM PROPERTY OWNER AT 25 POGANY STREET FOR LAND SWAP FOR A PORTION OF FODOR FARM AND SUBJECT TO SUPPORT OF THE COMMITTEE, THEREAFTER, SCHEDULE FOR A PUBLIC HEARING.**

Ms. Smyth explained that Committee members had some questions for Mr. Lo. Mr. Lo reviewed the history of the Fodor Farm property. In the 1990s the City purchased the site, except for two acres. Mr. Peoples reached out to Mr. Lo to ask him about the open space area near his home. He is asking to swap the land.

Mr. Peoples explained that he is asking for a land swap that would be equal to what he has now. The property he owns is adjacent to the tree farm and he does not want to cut down trees adjacent to the tree farm. He noted that he already maintains the property. He said he had the property surveyed and would like to swap the wooded property for the open space. It would be an equal exchange with no exchange of money.

Ms. Acquarulo presented the site map.

Ms. Smyth said that Mr. Peoples has been an excellent home owner and steward of the land.

** **MOTON PASSED UNANIMOUSLY**

A public hearing will take place at the next meeting of the Land Use and Building Management Committee.

VI. **NEW BUSINESS**

A. Review request for a lease extension with Family and Children's Agency at Ben Franklin Center and refer the following to the Common Council for action:

**** MS. MCMURRER MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A LEASE AMENDMENT WITH FAMILY AND CHILDREN'S AGENCY FOR THE USE OF PORTIONS OF THE SECOND FLOOR AND THIRD FLOOR OF BEN FRANKLIN CENTER FOR ITS CHILDREN AFTERSCHOOL PROGRAMS AND ADMINISTRATIVE OFFICES FOR A PERIOD OF 5 YEARS. LEASE PAYMENTS SHALL BE AS FOLLOWS:**

SEPTEMBER 1, 2024 TO AUGUST 31, 2025: $3.00/SF
SEPTEMBER 1, 2025 TO AUGUST 31, 2026: $3.25/SF
SEPTEMBER 1, 2026 TO AUGUST 31, 2027: $3.50/SF
SEPTEMBER 1, 2027 TO AUGUST 31, 2028: $3.75/SF
SEPTEMBER 1, 2028 TO AUGUST 31, 2029: $4.00/SF"

Mr. Lo reviewed the request. He said the Benjamin Franklin building has multiple tenants including the Family and Children's Agency. Their lease is scheduled to end on October 31, 2024 and they are requesting a five year lease extension. He described the lease structure.

Mr. Cashel described the programs they provide for area families. He added that as a non-profit, it is important to secure this space.

Mr. Wiggins asked if this was a competitive process and if people would have an opportunity to bid and pay more. Mr. Lo explained that when the space became available they were required to put out an RFP; however, they are not required to do that since this is an extension of a current lease.

**** MOTION PASSED UNANIMOUSLY**

This item will go before the Common Council next Tuesday.

B. Review request for agreements with YMCA for the proposed Norwalk Community Recreation Center at 98 South Main Street and refer following recommendations to the Common Council:

**** MS. MCMURRER MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO A SUBGRANT AGREEMENT AND ALL OTHER RELATED HUD GRANT REQUIREMENTS/DOCUMENTS/AGREEMENTS AS MAY BE REQUIRED WITH RIVERBROOK REGINAL YOUNG MEN'S CHRISTIAN ASSOCIATION, INC. (YMCA) FOR THE DEVELOPMENT OF THE NORWALK COMMUNITY RECREATION CENTER AT 98 SOUTH MAIN STREET, AS NECESSARY FOR THE RECEIPT AND EXPENDITURE OF HUD GRANT IN THE AMOUNT NOT TO EXCEED $1,750,000. THE CITY WILL**

HAVE FULL RESPONSIBILITIES IN COMPLIANCE WITH HUD GRANT REQUIREMENTS.

Ms. Smyth explained that the YMCA was supposed to take over the building; this is a sub grant so the money can continue to be used for the building.

Mr. Lo reviewed the item. Ms. Freedman explained that this YMCA is chartered to serve three towns only. She said they primarily provide summer camp programs and chronic disease programs in partnership with other groups for older adults. They also address food insecurity.

Ms. Dunn asked if the $250,000 for fit out will stay with the building. Mr. Lo said that will stay with the building. Mr. Stowers reviewed the negotiations.

Ms. Ayers said that while she fully supports Mr. Stowers, she is uneasy, because they have been down this road before with the YMCA. She said she does not want the City to be stuck with a bill. She reiterated that this is nothing against Mr. Stowers, but she said she is uneasy with the partnership and will abstain until she has a better understanding of the contract.

Mr. Stowers explained that this is an operating contract and is being worked on by the attorneys. Tonight is not about the operating agreement. Mr. Ayers said she was uneasy because of what happened before.

Mr. Wiggins asked if the YMCA would have ownership in the building. Mr. Stowers said that Mayor Rilling and Congressman Himes worked out some tentative core terms. The YMCA will rent 2,000 sq feet for a symbolic fee of $1.00. They will run programs in the building. He added that typically when there is a lease, the building belongs to the property owner.

Mr. Wiggins asked if other organizations have the opportunity to do what the YMCA is doing. Mr. Stowers said this is meant to be a recreational center. The City is going to run it as a true recreation community center. He added there will be two all purpose rooms that people can rent. They are not leasing out the building so non-profits can run the building. Based on the master plan, the City determined it wants to run a community recreation center.

Ms. Smyth said it was important to remember that the YMCA's commitment fell through because of the covid crisis and as a result, the City will take over running this as a recreation center.

Ms. McMurrer said she would vote in favor; the main goal is to make this a good place for all Norwalk residents. She added that she was hesitant because of past experience and asked if these programs would be actual sports or gaming. Mr. Stowers said they would be actual sports.

Mr. Lo explained that the fine terms of the contract will be worked out with the staff at the YMCA. Ms. Freedman said they did not receive the approval from HUD to make the City the sub recipient. This action gives the Mayor the opportunity to go into a sub agreement with the YMCA. She added that this is a process. Mr. Lo explained that it is important to do this because HUD will ask if there is a sub agreement in place.

Mr. Frayer asked if they could adjust the language to “in anticipation” so the action does not read as a forgone conclusion. Mr. Callahan said the language could be modified to reflect the concerns of the Committee.

**** MS. MCMURRER MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO A SUBGRANT AGREEMENT AND ALL OTHER RELATED HUD GRANT REQUIREMENTS/DOCUMENTS/AGREEMENTS AS MAY BE REQUIRED WITH RIVERBROOK REGINAL YOUNG MEN’S CHRISTIAN ASSOCIATION, INC. (YMCA) FOR THE DEVELOPMENT OF THE NORWALK COMMUNITY RECREATION CENTER AT 98 SOUTH MAIN STREET, AS NECESSARY FOR THE RECEIPT AND EXPENDITURE OF HUD GRANT IN THE AMOUNT NOT TO EXCEED $1,750,000.**

IN ANTICIPATION THE CITY WILL HAVE FULL RESPONSIBILITIES IN COMPLIANCE WITH HUD GRANT REQUIREMENTS.

**** MOTION PASSED AS AMENDED WITH ONE (1) ABSTENTION (MS. AYERS) AND ONE (1) VOTE IN ABSTENTION (MR. WIGGINS)**

** MS. MCMURRER MOVED TO Authorize the Mayor, Harry W. Rilling to enter into a 5-year operating License Agreement with Riverbrook Reginal Young Men’s Christian Association, Inc. (YMCA) to operate recreation programs at the proposed Norwalk Community Recreation Center at 98 South Main Street. Terms of the Agreement shall be as recommended by the Land Use and Building Management Committee. (Please be advised that detailed terms for the operating agreement are continued to be developed.

Additional details and adjustments to the above terms will be available at the January 3, 2024 meeting.)”

Ms. Dunn asked about the financial liability. Mr. Lo explained the YMCA is bringing capital to the building and will pay common charges that include utilities. Mr. Stowers added that the original intent was for Recreation and Parks to run the building. Mr. Callahan said there is a cost to keep the building open currently.

Mr. Stowers said there are no recreation community centers in the City. The City needs at least three. This building is going to be completely renovated and run by the City. Mr. Frayer suggested adding that the YMCA would be responsible for their proportion of the operating expenses. Mr. Callahan said he will collaborate the cost sharing in the agreement.

Mr. Stowers said this item will go through the Recreation and Parks Committee. Ms. Smyth suggested holding a joint meeting.

**** MOTION PASSED WITH TWO (2) ABSTENTIONS (MS. AYERS AND MR. WIGGINS)**

C. Review recommendation to retain Silver Petrucelli + Architects for the proposed Norwalk Community Recreation Center at 98 South Main Street and refer recommendation to the Common Council for action:

**** MS. MCMURRER MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH SILVER PETRUCELLI + ASSOCIATES FOR ARCHITECTURAL DESIGN SERVICES FOR THE PROPOSED NORWALK COMMUNITY RECREATION CENTER AT 98 SOUTH MAIN STREET FOR A TOTAL NOT TO EXCEED $662,751.00. FUNDS FOR THIS AGREEMENT ARE AVAILABLE FROM ARPA FUNDS. ACCT. #134030-5796-ABL01**

ANS TO AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO ISSUE CHANGE ORDERS ON CONTRACT FOR ADDITIONAL SERVICES AS MAY BE REQUIRED FOR A TOTAL NOT TO EXCEED $60,000. ACCT. #134030-5796-ABL01"

Mr. Lo reviewed the request and said they received seven qualification packages. Silver Petrucelli + Associates was one of the three shortlisted firms with the lowest fee proposal.

Mr. Wiggins asked about inclusiveness and said he did not see any diversity. He asked if any Minority firms applied. Mr. Callahan explained that the grading for this would have to be based solely on the qualifications listed in the RFP.

Mr. Wiggins asked if any Minority owned groups applied. Ms. Smyth said she did not see anyone who applied comment on that in their proposal. Mr. Wiggins said this was important that the people who are building this understand the community. He said they need representation from the community.

Ms. Ayers said she understood what Mr. Wiggins was talking about, but said this needs to come from the Ordinance Committee. Without guidelines, it is unfair to ask Mr. Lo to look for something he is not empowered to look for. The process needs to start with the Ordinance Committee.

Ms. Ayers asked what was going to happen with the parking lot. Mr. Stowers said that the City will look to work out a parking arrangement with the surrounding churches. He added that nationwide, they do not build parking lots for community centers, because typically the youth do not drive and find a way to get there.

**** MOTION PASSED WITH ONE (1) VOTE IN OPPOSITION (MR. WIGGINS)**

D. South Norwalk School – update on the proposed acquisition of abutting properties along Oxford Street and South Main Street.

Mr. Callahan reviewed the item and said that in September they went before the Common Council and were granted authorization to acquire five properties. At that time, they said they would come back once they were able to negotiate a price. They had appraisals prepared as a starting point. He said they have a tentative agreement on the acquisition price on three of the five properties.

Mr. Callahan described 20 Oxford Street and said they came to a settlement of $372,000. He described 38 Oxford Street and said they came to a settlement of $532,500. He described 32-36 Oxford Street and said they came to a settlement for $1.76 million. He said they have a statutory and moral obligation to help these families find a new place to live.

E. Update on School Construction projects.

Mr. Philips reviewed the three school construction projects, Cranbury Elementary School, the South Norwalk School and the new Norwalk High School.

The Cranbury Elementary School was completed for occupancy in the fall. The existing building was demolished.

On December 18th, approval from the State was received to go out to bid for the construction of the new South Norwalk School. The bids are due back by January 11th. Construction is scheduled to begin during the winter of 2024 with the school being completed by August 2025.

Approvals were received to go out to bid on November 11th for the new Norwalk High School. The proposed occupancy will be in August 2027. The existing Norwalk High School is expected to be demolished during the summer of 2027.

Mr. Frayer asked Mr. Lo if he met with Lisa Wilson Grant to discuss the possible graveyard on the Naramake/Norwalk High School property. Mr. Lo said he was very open minded about this and if there is a possible location identified, he wants to know about it before they start. He said he talked to Ms. Wilson Grant a few times and they had a good dialogue and went through all the items. She is interested in starting ground penetrating radar but Mr. Lo wants her to identify the highest potential area.

Mr. Lo said the area of the football field was not a part of the Alms House property. Also, the football field has been excavated and graded eight feet down. He said there was a very small chance there is anything there. He said he did not disagree the presence of old graves on Naramake Elementary property, but in order to look they need to suggest an area. He said he would work with Ms. Wilson Grant to determine the area. He noted that all of the areas have been graded and excavated.

Mr. Lo said he and Ms. Wilson Grant tried to determine the highest probability of where the graveyard could be. The only place it may be would be the small softball field at Naramake Elementary School. Mr. Lo said she did a lot of work and they had many constructive conversations. He said he was 100% supportive, but needs a focused on a location.

F. Review bid result for the renovation of the old newsstand at City Hall for a new Customer Services Center and refer recommendation to the Common Council for action:

** MS. MCMURRER MOVED TO Authorize the Mayor, Harry W. Rilling, to execute an agreement with HV Contractor Corporation for the Customer Service Center Renovation Project at City Hall for a total not to exceed $68,000.00.
Account# 014071 5561.

And to Authorize the Office of Building Management to issue change orders on the contract for a total not to exceed $6,800.00. Account# 014071 5561."

Ms. Smyth reviewed the item and asked if they would be able to enhance the security in that area. Mr. Lo said it is about finding a balance. He said when Mr. Livingston was Chair, they reviewed security issues. Ms. McMurrer said this matter needs to be addressed.

VII. **MISCELLANEOUS/DISCUSSION ITEMS**

There were no other discussion items presented this evening.

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

The meeting was unanimously adjourned at 9:30 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services