

CITY OF NORWALK
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**CITY OF NORWALK
PUBLIC WORKS COMMITTEE
MARCH 2, 2021**

- ATTENDANCE:** George Tsiranides, Chairman; Barbara Smyth; Tom Keegan; Tom Livingston; George Theodoridis; Manny Langella
- STAFF:** Anthony Carr, Chief of Operations and Public Works; Vanessa Valadares, Principal Engineer; Darin Callahan, Assistant Corporation Counsel, Michael Yeosock, TMP
- OTHERS:** Kadeem Roberts, Common Council Member; Attorney Mark Zimmerman, Head of Harbor; Attorney Ann Catino, Environmental Counsel; Alan Webber, CFO

The meeting was called to order at 7:05 p.m. A quorum was present.

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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 Monique Cipriano at to provide written public comment prior to the meeting.

Mr. Tsiranides called to order the Public Works Committee meeting on Tuesday, March 2, 2021. He stated that the meeting is being done by video conference. He announced all of the Committee

Members by name and each member responded for attendance. A quorum was present. Mr. Tsiranides gave instructions on how the public comment will be addressed. Public comments via email or zoom video conferencing. Mr. Tsiranides began the meeting with the Public Input.

PUBLIC INPUT

Public input (Guests at Committee meetings may speak to any item on the agenda. Comments shall be limited to no more than three (3) minutes per speaker.)

Mr. Tsiranides opened public input and went over the public input item on the agenda. He informed all of those signed up to speak to keep their comments to three (3) minutes or under. He asked if there was anyone that wanted to speak.

Mr. Manzi replied no. There were no inquiries from the Department of Public Works.

NEW BUSINESS

1. APPROVE THE MINUTES OF THE PUBLIC WORKS COMMITTEE MEETING OF TUESDAY, FEBRUARY 2, 2021.

There was no report on this item.

****MR. LIVINGSTON MOVED THE ITEM**

****MOTION PASSED UNANIMOUSLY**

2. AUTHORIZE THE MAYOR, HARRY W. RILLING TO ENTER INTO A SUBORDINATION AGREEMENT WITH HEAD OF THE HARBOR SOUTH, LLC PER TERMS OF THE MEMORANDUM OF ASSISTANT CORPORATION COUNSEL, DARIN I. CALLAHAN DATED FEBRUARY 26, 2021.

Attorney Callahan reported on this. He introduced Alan Webber, the CFO/Owner of the Property, Head of The Harbor South LLC, Mark Zimmerman, the Head of The Harbor's Council who is with Updike Kelly & Spacey, Anthony Carr and Vanessa Valadares, who he has been coordinating with on the issue and Environmental Counsel Ann Catino with Howard & Sage. Head of the Harbor are incurring the cost for the City's environmental counsel. Mr. Callahan asked the Committee if Head of the Harbor would be able to present what they are requesting from the City. He said he and Attorney Catino are available to answer any legal questions.

Chairman Tsiranides responded yes.

Attorney Zimmerman began by thanking the Committee for given them the opportunity to give a presentation of their request. He said their client, Head of the Harbor, has redeveloped the Smith Street Property. He said there were some environmental issues that had to be dealt with on the site. The last remaining issue they need to get is an

environmental land use restriction on the property. It restricts certain portions on the property depending on what

material might have been left on site in connection with the redevelopment. He said this site has a lot of coal ash fill material that was left on the site. In connection with the remediation, Head of the Harbor requested an environmental land use restriction from DEP and with respect to the area that affects the City, there's the area where the sewer line runs. It is believed

that there is contaminated material in the area of the sewer line which the DEP regulations allowed Head of Harbor to keep in place and basically it's capped. He said the environmental land use restriction that they are requesting from DEP would provide that the material beneath that cap cannot be disturbed without complying with ELUR and getting permission from DEP to do so. This is all in accordance with DEP regulations. In connection with obtaining an ELUR, anyone that has an interest in that restricted area has to ask them to agree to subordinate their interest to the requirements of the ELUR. In this case they had to go to the Head of the Harbor's lender to agree to subordinate their mortgage to the ELUR. That means if the bank were to ever take title of the property, they are agreeing by taking title they will also be subject to the restrictions in the ELUR. They also went to Eversource because they have utilities lines running through there and Eversource had to agree that if they go in there for any reason, perform maintenance and repairs on the utility line, they will comply with the requirements of the ELUR. They will have a plan in place to go in there and make those repairs, go to DEP and get permission to do so. Both, Eversource and the Bank, have already agreed and signed off on the ELUR on the subordination. That is what they are asking of the City, a subordination agreement that says if the City ever goes and makes a repair or replacement of its sewer line, they would agree to comply with requirements set forth in the ELUR. That area was all fill and it was covered. He said nothing was created by their client, it was on site when they came and they had to work around it. There have been testing in that area for contaminants and nothing has been found.

Mr. Livingston said this is because they have an easement for sewer lines.

Attorney Zimmerman replied correct.

Mr. Livingston asked if that is all it relates to and he asked if they need to do something to that sewer line, does that mean they have to comply with those restrictions from DEP.

Attorney Zimmerman responded yes. He said if you are going to disturb the area that is capped by the ELUR, you will need to come up with a plan to do so and get DEP permission to do so.

Mr. Livingston asked DPW how they feel about this request.

Mr. Carr responded that they do not have an objection to the request and have been working with the engineers at Mr. Webber's team and construction engineer. They had a virtual meeting last week with Attorney Callahan and Discala's staff. He said since they are requiring them to ultimately do without getting so much of details is to install two (2) additional sanitary sewer manholes over their laterals which are the pipes that go from the building to the main so that they will have access in the future to complete the sanitary

sewer pipelining which they are currently doing throughout the City. He explained the process to the Committee.

Mr. Livingston asked if the two (2) manhole covers will minimize the need to disrupt the land.

Ms. Valadares answered correct. She said their first approach was to determine the need to access the parcel and the thought was to give the pipe the longest life line possible. They decided they needed to line that pipe which could give it another 20 to 30 years. She said they are asking them to provide the manholes that will help them line their drainage systems, their sewers whenever they want without having to dig or trench.

Mr. Livingston asked if they are lining the pipes as part of a normal process that they are doing around the City.

Ms. Valadares answered correct.

Mr. Carr said they have those segments of pipe scored and inspected and the pipe is in the next few years useful life and with the liner they will have at least between 30 and 50 years. He said that is slated for lining. WPCA and SUEZ have inspected it. He said the manholes would serve a double purpose, it will allow them and Head of the Harbor to see if there is any problems with the sanitary sewer lines so if there are any clogs or breakages, etc., they will be able to respond quicker.

Mr. Livingston asked if they would be incurring any additional costs for this.

Mr. Carr responded no.

Attorney Callahan said the subordination agreement contains provisions. He said effectively any additional costs as a result of compliance with the land use restriction are required to be assumed, under by agreement, by Head of the Harbor in effect. There is also an indemnification provision as well. He said they are following the path already paved by Eversource on this issue. He passed it on to Attorney Catino for more details on the issue.

Attorney Catino stated they are not charting new ground. Head of the Harbor is seeking a completely standard remedial method for dealing with particularly fill material and coal ash. She said it is not unusual to provide a cap over an area and restrict access to it through a land use restriction. It requires a subordination agreement where they would subordinate their interest to that of the interest of the land use restriction which is an agreement between the Connecticut Department of Energy and Environmental Protection and the developer. She said Attorney Zimmerman said they are at the final phase of the remedial activity so that they can confidently ultimately sign off on the site and the public can be protected. She said Eversource has its standard forms for subordination agreements and is appropriate to use in this instance. They have adopted it and applied to the City circumstances. She said this is a no-cost, minimal cost endeavor on the City's part in the event they do have to access anything, it would be absorbed by the Head of the Harbor and its successors.

Chairman Tsiranides asked Mr. Carr and Attorney Callahan if this was something the City should consider.

Mr. Carr responded yes, he and the City Engineer are very comfortable with the proposal.

Attorney Callahan stated that it is a very reasonable request and it's supported by the Law Department. He said Ralph Kolb from WPCA had contributed integrally to this and came up with the concept of private sewer/private manholes.

Chairman Tsiranides thanked them.

****MS. SMYTH MOVED THE ITEM
MOTION PASSED UNANIMOUSLY

- 3. AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE THE 1ST AMENDMENT TO AN AGREEMENT BETWEEN THE CITY OF NORWALK AND VANNASSE HANGEN BRUSTLIN, INC. (VHB) FOR THE DESIGN OF ADAPTIVE TRAFFIC SIGNALS ON WEST AVENUE FOR AN AMOUNT NOT TO EXCEED \$7,000.00.**

ACCOUNT NO. 09 20 4120 5777 C0232

Mr. Yeosock reported on this. He said they have been working on the adaptive traffic signal project on upper West Avenue. They are entering the semi-final design phase. There were issues with the ADA accessibility with the ramps that they would have to make improvements on. They need to get the engineering complete for those couple of ramps so they could move forward on the project. He hopes to wrap this up in the next couple of months and advertise it.

Chairman Tsiranides asked Mr. Yeosock his thoughts on the adaptive traffic signals. He said he knows they have been implemented in South Norwalk and West Avenue but wants to know how they been working out so far as far as the traffic.

Mr. Yeosock said that they only place they are currently operational are in front of the Mall, from Garner Street up to I95. He said the rest of them are in the implementation phase. ConnDOT will be putting in a lot with the Walk Bridge Project. They have been working very well and it is kind of hard to tell because traffic hasn't been back to pre-COVID. He said it is good when you have signals that the traffic is very unpredictable.

Mr. Carr asked Mr. Yeosock to explain where the adaptive signals are installed and the several locations where the infrastructure's installed but they are not yet functional, and the reasons for that. Mr. Carr said that would be good for the Committee to understand.

Mr. Yeosock said there are five (5) signals in front of the Mall, Garner St., Reed St., Mall driveway, I95 ramp northbound and Route 7 ramp. Those are adaptive and was put in place over a year and a half ago right before the Mall opened. The rest of the adaptive signals will

be on Martin Luther King and North Main Street which are part of the Walk Bridge Project and are not in place yet. They are still working on the design for those. Last year they received the accident grant for the upper portion of West Avenue and that's the part this is in the design phase right now from Matthew's Park up to Route 1 Belden Avenue and Cross Street. The next phase is East Avenue as part of the East Avenue Improvements. He said basically infrastructure works on video detection so you have to have enough cameras up to interpret the traffic and it communicates with the controllers telling them when vehicles are there.

Chairman Tsiranides stated that it is his understanding that the City plans on moving forward with this on all the main avenues.

Mr. Yeosock responded yes but it is not just the City. He said it is also a National thing. FHWA highly recommends them. He said they work very well. You may have to play with the camera angles but once you get them working they work pretty well.

Chairman Tsiranides stated even with the current situation where they have no idea how to track traffic at this point because it is hit or miss depending on who's working and who's not working. He asked Mr. Yeosock if he is still gathering data and the systems, at least trying to apprehend what's going to happen going forward.

Mr. Yeosock answered that is correct. He said it is kind of hard to project when traffic and how it will come back but it seems to be picking up now anecdotally on I-95 and everything.

****MR. KEEGAN MOVED THE ITEM
MOTION PASSED UNANIMOUSLY

- 4. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTIVE AN AGREEMENT BETWEEN THE CITY OF NORWALK AND FITZGERALD & HALLIDAY, INC. (FHI) FOR THE NORWALK TRANSPORTATION MANAGEMENT PLAN FOR AN AMOUNT NOT TO EXCEED \$300,000.00.**

**ACCOUNT NO. 09 18 4021 5777 C0599
 09 21 4120 5777 C0514
 09 21 3750 5777 C0774
 09 21 3750 5777 C0775
 09 21 3750 5777 C0776**

Mr. Yeosock reported on this. He said that 10 years ago they did their first City-Wide Traffic Management Plan. It was one (1) of the first in the region. Mostly funded by the State. They redid the Roadway Design Manual. They identified many projects and obtain funding for those projects over the years. The City is continually changing and growing so it is time to revisit this plan. They are concentrating more on mobility for everyone, not only looking at designing roads for people but also the transit, sidewalks and bicycling aspects, etc. They interviewed a consultant about a month and a half ago and selected Fitzgerald & Halliday. They will be doing interactive presentation with various stakeholders and departments over the next few months to get a perspective of where Norwalk traffic is and where it needs to be. He said there is some funding from last year's capital budget for sidewalks so they are looking at funding some sidewalks in Rowayton,

Hunt Street, Rowayton Avenue and George Street. Part of that scope of work they'll be looking at those projects as well.

Chairman stated he feels that is the direction they are headed in right now especially with the current climate with everything going on with COVID. More outdoor walking and possibly biking and sidewalks are going to be key. He asked Mr. Yeosock what direction he thinks the City is going in.

Mr. Yeosock replied that a lot of people are walking and looking for ways to get around. Sidewalks are important and there have been a lot of demand for them.

Mr. Livingston said he thinks this is a really good idea. He says it is important to stay on top of this throughout the City. There is a lot more walking going on.

Ms. Smyth added that she absolutely agrees that this is a great idea and the way to go.

****MR. LIVINGSTON MOVED THE ITEM
MOTION PASSED UNANIMOUSLY

5. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE THE 1ST SUPPLEMENTAL PROJECT AUTHORIZATION LETTER FOR STATE PROJECT 102-350 NORWALK RIVER VALLEY TRAIL – PHASE 2.

Mr. Yeosock reported on this. He said the bids came back for the trail and they adjusted the numbers to incorporate the bid prices and this is to tidy up the paperwork. They are looking to have a groundbreaking ceremony in the next couple of weeks for your invitation. It is an 80/20 grant, 80% Fed and 20% City.

Chairman Tsiranides stated once again going green, preserving open land. He said this is fantastic and starting to come together.

Mr. Livingston said it is a great thing and asked about the timing.

Mr. Yeosock said they are looking to start construction this month hopefully and get the clearing and grubbing done and would like to have it done by the end of the construction season.

Chairman Tsiranides asked if Wilton was on track to work with them.

Mr. Yeosock responded yes. He said they received the bids back for the piece up in Wilton which came back a little higher than they had funds for. They are working on scoping back a little of the project. The part in Norwalk may be pulled back a little bit at this phase but they are still trying to gather up some funds and grants to finish that up.

****MS. SMYTH MOVED THE ITEM
MOTION PASSED UNANIMOUSLY

6. ADOPT A RESOLUTION TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION, MOBILITY AND PARKING TO APPLY FOR FUNDING UNDER THE CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM GRANT FUNDING FOR THE CITY OR ITS DESIGNEE(S) TO CONSTRUCT, OWN, OPERATE, AND MAINTAIN ALL TRAFFIC SIGNAL EQUIPMENT AND APPURTENANCES INSTALLED AS PART OF PROPOSED PROJECT NORWALK TRAFFIC SIGNAL SYSTEM UPGRADE – PHASE V. IN ADDITION, THE CITY WILL PROVIDE UP TO 20% OF THE TOTAL PROJECT COST AS MATCHING FUNDS, FROM APPROVED CAPITAL FUNDS FOR TRAFFIC SIGNAL REPLACEMENT.

Mr. Yeosock reported on this. He said every couple of years there is a CMAQ grant advertised by the State as part of the Highway Fund. These are Congestion, Mitigation and Air Quality grants so they could go to different things, they use them to update their traffic signals. They are asking for authorization to apply for a grant but there is no guarantee that they will get but they need a resolution to apply for the grant.

Mr. Livingston asked if they would be for new or existing signals.

Mr. Yeosock answered a replacement of their older existing signals.

Chairman Tsiranides asked if the new signals last longer than the previously used ones because of the LED and everything.

Mr. Yeosock answered technology changes sometimes as well but generally you can get 25 to 30 years.

****MR. LANGELLA MOVED THE ITEM
MOTION PASSED UNANIMOUSLY

INFORMATION / DISCUSSION

A. DISCUSSION

1. PROJECT STATUS

a. SEDIMENT REMOVAL CONTRACT UPDATE

Ms. Valadares reported on this. She said they are going to start their fifth location, excavating tomorrow, that is Kellee. The work itself will not take too long but they have limitations to how much they can haul so they are going to excavate about a thousand cubic yards there and they usually haul an average of 200 cubic yards a week so it will take about five (5) to six (6) weeks to complete. Once that is done, they will return to the other four (4) sites to do final grading, planting and restorations. The goal is by the end of May the project will be complete.

Chairman Tsiranides stated that they have had a couple of storms recently and a lot of rainfall, and wanted to know if all the areas that they have gone through are cleared out and if the drainage works. He said he hasn't received any complaints.

Ms. Valadares said she has not received any complaints. She said the drainage work has made a very big difference and they are starting to see the progress. She said that they received a lot of snow this year and with the two (2) warm days and the snow melting and the rain, there weren't any calls with complaints.

Chairman Tsiranides thanked them for doing such a good job.

**b. DREAMY HOLLOW DRAINAGE SYSTEM
IMPROVEMENTS UPDATE**

Ms. Valadares reported on this. She stated that they met with Woodard & Curran last week and their whole concept design for within the length of the project is complete. They have a few conflicts with utilities and they are looking into the details. The design is moving forward.

They will receive an engineering estimate by next month so they will get the budget for the design. They are still trying to get it out to bid by late June. She said they are working to get the design developed and once it begins you will start to see where the conflicts are and how to make it better. Everything is moving forward.

**B. MONTHLY SOLID WASTE REPORT – DECEMBER 2020 AND JANUARY
2021**

Mr. Carr reported on this. He said the MSW and Curbside tonnage is down. Curbside is only curbside pickup and MSW is everything else. Those numbers are down. The total revenue is still up 2%. He said it is trending in a good direction.

Ms. Smyth asked if all the snow they had last month contributed.

Mr. Carr responded yes. He has seen a change within the last month.

Chairman Tsiranides said that the Mayor announced that bulky pickup will start again. He asked Mr. Carr to talk about that.

Mr. Carr stated bulky pickup resumes back March 10th and they are starting with the zone, northeast part of Norwalk, the area in between Route 1 and Merritt and to the right of I95. There are four (4) zones and each zone is pickup up once a month, twice a year and then there'll be multiple pickups. The website has the schedule and a map that shows the address and the zone it correlates to. There will not be bulky collection in during the months of November to February due to possible snow.

Chairman Tsiranides stated that there was a problem of dumping in South Norwalk last week. He said it is not uncommon for that to happen in that area. He thanked Public Works for cleaning up the dumping as it is illegal. Chairman Tsiranides said that he understands that it is a difficult time for everyone but it is illegal to dump in residential areas or City owned areas and hopefully the bulky pickup will help with that issue. He asked Mr. Carr to speak more about it.

Mr. Carr said that he appreciates learning the history and the areas of where this has happened. He said they seen the correspondence regarding the illegal dumping at Springwood park. DPW Operations has cleaned the road in the back of Springwood Park behind Nathaniel Ely. It took a few hours to clean up. He said it is really challenging to catch illegal dumping. They are going to install a Deer camera in the area for security in coordination with NPD. They are also contemplating signage around the park about surveillance. They don't want to be intrusive but want to provide security for the community. They are reactive to the needs of the Community and they are doing what they can. They will be working with the Neighborhood Improvement Project with David Shockley to help schedule clean-up in that area or even potentially provide additional enforcement. They are looking at long-term solutions to address the problem.

Mr. Keegan said Bravo to Mr. Carr and his Department. He said he is very impressed on how it has been handled by them.

Mr. Carr said he appreciates that.

Chairman Tsiranides said at the end of the day it comes down to vigilant neighbors and residents paying attention and helping out. He said they do not want to police the neighborhood and put it under a spotlight and make people feel uncomfortable. It helps when the residents are involved and they heard a little more about community involvement. He hopes it helps. He said it is usually the same culprits that are responsible for unfortunately difficult times difficult measures but if they could put an end to it that would be great.

Mr. Livingston said he was impressed on how quickly they responded to this.

C. SNOW REMOVAL

Mr. Carr reported on this. He said they have done very well. He said this is everything excluding the February 18th storm. From December 1st to February 17th there were eight (8) snow events. Those events could be from ice, one inch of snow to 10 inches of snow. They have to deploy resources for any type of snow removal which could include plowing, salting or a combination of the two. The annual salt budget is \$380,000.00 and to date they have spent \$236,000.00. They have used 2,050 tons of salt. They typically use 3,000 to 5,000 a year. The winter began a bit slow this year and most of it came towards the end so they are close to that budget mark not including the February 18th storm. Their shed holds about 5,000 tons of salt. They always have a full shed practically. Mr. Torre is very good at keeping that stocked along with his staff. The have an annual budget of \$200,000 for overtime, approximately, they expended \$220,000.00 making them \$20,000.00 over before the February 18th storm. They would probably be under with salt but over with overtime. The overtime is just predictions and forecasts, the CFO and the Mayor Office are very well aware and if it comes down to it they will go back with a certain number for a special appropriation at the end to reconcile the overage.

Chairman Tsiranides thanked Mr. Carr and his staff for all their hard work.

Mr. Carr thanked the Chairman and the Committee Members for all of their support. Whenever he receives emails from residents or from them he shares them with the staff. He

says that really goes a long way. It means a lot to hear the compliments and he and the staff appreciate that.

Mr. Langella thanked Mr. Carr for sending out all the comms and keeping them informed. It helps with his constituents. He said your team does an amazing job. Thank you so much.

Mr. Chairman thanked Ms. Valadares. He said that he was on Cove the other day and the area looks beautiful. After receiving all those complaints in that area with all of those drainage problems, the work came along and the residents are pleased. He said it became a bigger job than anticipated but it looks great, phone calls stop coming in. Thank you very much.

Mr. Carr and Ms. Valadares thanked the Chairman.

UPCOMING PROJECTS

ADJOURNMENT **CHAIRMAN TSIRANIDES MOTIONED TO ADJOURN
MOTION PASSED UNANIMOUSLY
MEETING ADJOURNED AT 8:07P.M.**

NEXT MEETING **TUESDAY, APRIL 6, 2021
PUBLIC WORKS COMMITTEE
7:00 P.M. LOCATION TBD**