

**CITY OF NORWALK  
LAND USE AND BUILDING MANAGEMENT  
REGULAR MEETING  
SEPTEMBER 4, 2019**

**ATTENDANCE:** Thomas Livingston, Chair; Nicholas Sacchinelli, Beth Siegelbaum, Barbara Smyth, Chris Yerinides, Gregg Burnett (7:35 p.m.)

**STAFF:** Alan Lo, Buildings and Facilities Manager; Jim Giuliano, Construction Solutions Group;

**OTHERS:** Robert F. Cashel, Family & Children’s Agency President and CEO; Thomas Hamilton, Board of Education CFO; Dr. Frank Costanzo, Board of Education

**CALL TO ORDER**

Mr. Livingston called the meeting to order at 7:32 p.m.

**ROLL CALL.**

Mr. Livingston called the roll. A quorum was present.

**PUBLIC PARTICIPATION**

There was no one from the public present.

**MINUTES OF THE PREVIOUS MEETING(S)**

**June 24, 2019**

**\*\* MS. SMYTH MOVED THE JUNE 24, 2019 MINUTES.**

The following correction was noted:

Page 2, paragraph 3, line 2 and line 6: please change “Mr. Reynolds” to “Mr. Roberts”

**\*\* THE MOTION TO APPROVE THE MINUTES OF JUNE 24, 2019 AS CORRECTED PASSED WITH THREE (3) IN FAVOR (SIEGELBAUM, SMYTH, AND YERINIDES) AND TWO (2) ABSTENTIONS (LIVINGSTON AND SACCHINELLI).**

**July 17, 2019**

**\*\* MR. YERINIDES MOVED THE MINUTES OF JULY 17, 2019.  
\*\* THE MOTION TO APPROVE THE MINUTES OF JULY 17, 2019 AS  
SUBMITTED PASSED WITH THREE (3) IN FAVOR (LIVINGSTON, SMYTH,  
AND YERINIDES) AND TWO (2) ABSTENTIONS (SIEGELBAUM, AND  
SACCHINELLI).**

**NEW BUSINESS.**

**A. Building Management.**

1. Review proposal to renew Family And Children's Agency's lease for portions of Ben Franklin Center and refer the following to the Common Council:

**Authorize the Mayor, Harry W. Rilling, to execute a lease agreement 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's afterschool programs and administrative offices for a period of 5 years, beginning on September 1, 2019 to August 31, 2024. Annual utility payment shall be increased from \$2.50 per sq. ft. to \$2.75 per sq. ft.**

**\*\* MR. YERINIDES MOVED THE ITEM.**

Mr. Cashel, the Family & Children's Agency President and CEO, came forward and introduced himself. He spoke about the programs the organization operates on the third floor of Ben Franklin Center and the various space on the second floor. One of the large rooms has allowed the program to have training programs and also bring in families for programs.

*Mr. Burnett joined the meeting at 7:35 p.m.*

Mr. Lo said that one of the leases expired last week and the other one will expire in February. He recommended that the Committee approve the proposed 5 year lease. Mr. Cashel said that one of the issues with non-profits is the funding and due to this type of lease, the Family & Children's Agency (FCA) is able to use 90 per dollar on programming rather than administration.

Mr. Burnett asked why there were two different contracts. Mr. Lo explained that when the first lease was done, the second floor was not available. Mr. Burnett asked why the lease term was five years instead of two years. Mr. Lo said that he had thought it would give FCA the ability to manage their business planning. Mr. Burnett asked what would happen if the City decided to use the building for something else. Mr. Livingston explained that there are termination clauses in the leases.

Mr. Sacchinelli asked who maintains the building. Mr. Cashel pointed out that the Family and Children's agency had made some significant improvements. Mr. Lo reviewed the general maintenance agreement.

**\*\* THE MOTION PASSED UNANIMOUSLY.**

2. Review bids for replacement of mechanical unit at Nathaniel Ely Center and refer the following to the Common Council:

**a. Authorize the Mayor, Harry W. Rilling, to execute an agreement with All State Construction Inc. for the Nathaniel Ely Roof Top Units Replacement Project for a total not to exceed \$60,433.00. Funds are available from account 0920 7100 5777 C0266.**

**b. Authorize the Office of Building Management to issue change orders on the contract for a total not to exceed \$6043.00.**

**\*\* MR. SACCHINELLI MOVED THE ITEMS.**

Mr. Lo said that there were two units on the roof and this would combine them into one unit.

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**B. School Construction Projects.**

1. Review Eversource energy efficiency incentive agreement for Ponus School and refer the following to the Common Council:

**Authorize the Mayor, Harry W. Rilling, to execute an agreement with Eversource to receive Energy Efficiency Incentive Payment for the Ponus School Addition And Renovation Project for the amount up to \$320,805.00.**

**\*\* MS. SMYTH MOVED THE ITEM.**

Mr. Lo gave an overview of the project and explained that the project exceeded energy efficiency requirements. There is a benefit to the City, but the incentive funding will not be paid until they finish the project.

**\*\* THE MOTION PASSED UNANIMOUSLY.**

2. Review Norwalk High School Construction Management Proposal and refer the following to the Common Council:

**a. Authorize the Mayor, Harry W. Rilling to execute an agreement with Newfield Construction, Inc. as the Construction Manager (CM) for the Norwalk High School Wood Door And Paneling Replacement Project State Project No. 103-0250 A/CV. Terms of the agreement shall include the following:**

<b>Preconstruction Phase Services (including Reimbursement allowance)</b>	<b>\$15,000.00</b>
<b>CM Fees (%of total trade bids)</b>	<b>2.50%</b>
<b>CM Contingency (% of total trade bids)</b>	<b>2.00%</b>

**Following bidding proceed process, final contact price (GMP) will be sub submitted to the Common Council for approval. Account # 09195010 5777 C0619 and Account #09205010 5777 C0619.**

**b. Authorize the Mayor, Harry W. Rilling to execute an agreement with Newfield Construction, Inc. as the Construction Manager (CM) for the Norwalk High School Black Box Theater/Media Pathway, Learning Commons, Main Entrance Project State Project No. 103-0252. Terms of the agreement shall include the following:**

<b>Preconstruction Phase Services (including Reimbursement allowance)</b>	<b>\$25,000.00</b>
<b>CM Fees (%of total trade bids)</b>	<b>2.50%</b>
<b>CM Contingency (% of total trade bids)</b>	<b>2.00%</b>

**\*\* MS. SIEGELBAUM MOVED THE ITEMS.**

Mr. Giuliano gave a brief overview of the two separate projects.

The wood panels were removed at Norwalk High School (NHS). Due to late approval by the State, the bids for a Construction Manager for the replacement materials and wooden door replacements were delayed. The doors can be replaced while school is in session.

Mr. Livingston asked if the new doors will have improved security. Mr. Giuliano said that they would match as the security measures were already in place.

The second project, No. 102-0252, was submitted to the State in June. Both project need to go out to bid, but it is expected that the wood replacement project will come in under projection. Mr. Giuliano explained that the reimbursement projects were all bundled together and then the scope of the projects were reduced to \$11.5 million with a variance of \$282,314. These figures will be submitted on the grant application. Mr. Giuliano distributed copies of the CSG project plans to those present.

Mr. Giuliano said that he had to reduce the scope of some of the work to \$11.5 million.

Mr. Burnett asked about the letter dated May 31st. Mr. Giuliano explained that the code violation was a category listing. The reimbursement rate will be 32.5%.

**\*\* THE MOTION PASSED UNANIMOUSLY.**

3. Review recommendation for architects for Jefferson School Improvement Project and refer the following to the Common Council:

**a. Authorize the Mayor, Harry W. Rilling to execute an agreement with Antinozzi Associates to provide architectural services for the Jefferson Elementary School-Renovate-As-New Project State Project No. 103-0251 for a total amount not to exceed \$1,565,500. Account # 09195010 5777C0619.**

**b. Approved a contingency for reimbursable expenses and additional services as may be required for a total not to exceed \$50,000.**

**\*\* MS. SMYTH MOVED THE ITEMS.**

Mr. Giuliano reviewed the schedule for renovating Jefferson as new. He explained that because the school has three floors, the building must be vacated. He reviewed the term of "renovate-as-new" as opposed to an "alternation". The "renovate-as-new" option requires that all the new materials must last 20 years.

Mr. Sacchinelli asked why they did not go with Silver Petrucelli. Mr. Giuliano explained that Antinozzi Associates was familiar with the buildings, the school construction projects and past history for renovation status. Mr. Lo added that there was also a rating sheet that the review committee uses. The submitted amounts were very close.

Ms. Smyth asked about the variations in the fees. Mr. Giuliano explained that Antinozzi Associates had a higher fee for the renovation fee which indicated to him that they were well acquainted with the amount of work involved in the process.

Mr. Burnett asked if Antinozzi Associates had worked in Norwalk. Mr. Giuliano said that they were working at NHS right now.

Mr. Giuliano was asked how long the Jefferson students would be at Ponus. Mr. Giuliano said that they expected the Jefferson student to be at Ponus for a year and a half. He listed the break out of the various approval time lines for the Committee.

**\*\* THE MOTION PASSED UNANIMOUSLY.**

#### **4. Update on School construction Project.**

Mr. Giuliano said that there was a successful summer but that some of the classrooms only had sealed concrete floors. There was more abatement done than expected. Those teachers in more unfinished areas on the first floor will be moving into completed classroom in the new addition.

Mr. Giuliano then reviewed all the updates in the Construction Solutions Group (CSG) information packet with the Committee.

Mr. Giuliano explained that there was a programmatic change by the BOE which resulted in the elimination of a math lab. This space about the size of two classrooms will be left as flexible space. When the program change was being discussed, the construction crew was able to leave the space in a condition where walls could be installed easily in the future. Mr. Lo said that there were some savings due to this.

The Ponus tunnel pipe replacement has been moving forward and has come in under projected cost. Mr. Lo explained that one must remove the asbestos coating first before assessing the pipe conditions.

Mr. Burnett noted that the budget shortfall was incorrect. Mr. Giuliano agreed and said that the (375,000) should be changed to (1,000,000).

Ms. Smyth said that the day that the staff returned to NHS, they were upset with the condition of the bathrooms and the walls. She reached out to Mr. Giuliano about the staff's concerns.

Mr. Hamilton said that he thought there was a mis-communication between the GM and the staff because wood paneling was removed. Mr. Giuliano agreed and said that the replacement paneling is in the process of being bid. Drywall was put in place to cover gaps. In most of the locations, the drywall will be permanent and will be painted. Mr. Giuliano said that he hoped to have everything completed by December.

The bathrooms need replacement valves and some of the toilet carriers were cemented into the floor rather than being bolted into place.

Mr. Livingston asked if NHS would be closed next summer. Mr. Giuliano said that he would recommend that because of the bathroom renovations. There are some areas that have not been tested and so they must be treated as contaminated. Due to the valve issue, the water may have to be shut off to the entire building.

The elevator is up and running. Mr. Burnett s noted that the ladder had to be moved and wanted to know who absorbed the cost. Mr. Giuliano said that the bad module in the elevator would not be charged to the school.

Mr. Burnett asked about the \$9 million difference between the Current Budget and Projected Budget. Mr. Livingston said that the funding was moved around and so they have the funding in place.

### **5. Presentation on latest student enrollment information**

Mr. Hamilton and Dr. Costanzo came forward and narrated a presentation that had been given to the BOE recently. (See attached)

Mr. Burnett asked if there were any plans to build additional schools beyond Nathaniel Ely. Mr. Hamilton said that there was interest in expanding the dual language program beyond the current structure by replacing it with a K-8 school or installing a separate dual language house at West Rocks.

Mr. Hamilton said that when they analyze the renovate as new option, the schools last longer. Mr. Burnett pointed out that at BMHS it cost the City \$72 million and was still in good shape some 15 years later. He said that he would rather spent \$20 million on a school and do it right than make repairs hodge-podge. Mr. Hamilton explained that when the District renovated as new, the State expects the building to last 20 years. If it doesn't, then the State may required the City to repay the funding. Discussion followed.

### **C. Maritime Aquarium**

1. Review proposals to remove underground heating oil tank and refer items to Common Council for action:

**a. Authorize the Mayor, Harry W. Rilling, to execute an agreement with Enviro Shield Inc. for the Norwalk Maritime Aquarium underground heating oil storage tank removal project for a total not to exceed \$9,250.00. Account #09177100 5777 C0543 and account # 0919/20710 5777 C0476**

**b. Approve a contingency in the amount of \$9000 for miscellaneous work and removal of approximately 7000 gallons of residual oil at 0.94 per gallon. Removal and disposal of contaminated soil (if any) has not been included in this contract.**

**\*\* MR. SACCHINELLI MOVED THE ITEMS.**

Mr. Lo said that the State will only reimburse for replacement. They discovered a 33 year old underground fiber glass oil tank by the bus turn around. This is by the current staff parking Lot. The Aquarium converted to gas heating sometime ago. This is City property. Mr. Lo said that he had spoken to the Mayor about this. Part of the cost could be borne by some Building Managements accounts. There are 7,000 gallons of oil in the

tanks. The tank has to be removed during low tide. Because the tank is doubled sided, there should not be any contamination issues. Mr. Sacchinelli pointed out that there would be a higher risk due to the proximity to the Norwalk River.

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**\*\* MR. SACCHINELLI MOVED TO SUSPEND THE RULES TO ADD AN ITEM TO THE AGENDA.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**Springwood Ely Park Tennis Courts Improvement Project.**

Mr. Lo distributed a memo dated January 3, 2018 from him to the Recreation and Parks And Cultural Affairs Committee. Mr. Lo said that he might have to bring to the Council. He said that the Norwalk Grassroots Tennis and Education account # listed on page 2.

A brief discussion then took place on the following items:

**a. Authorize the mayor to execute an agreement with classic turf company LLC for the Springwood Ely Park Tennis Court Development Project for a total not to exceed \$950,000. Account number 0917/186030 5777 C0321, 09175010 5777 C0585 and \$300,000 from Norwalk Grassroots Tennis and Education (account to be determined).**

**b. Authorize the office of building management to issue change orders on contract for a total not exceed \$95,000. Account number 091860305777C0321, 091760305777C0364, 091750105777C0585 and \$50,000 from the Norwalk Grassroots Tennis and Education (account to be determined).**

**MISCELLANEOUS/DISCUSSION ITEMS**

There were no additional items to discuss at this time.

**ADJOURNMENT**

**\*\* MR. SACCHINELLI MOVED TO ADJOURN.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:21 p.m.

Respectfully submitted,  
S. L. Soltes  
Telesco Secretarial Services

City of Norwalk  
Land Use and Building Management  
Regular Meeting  
September 4, 2019