Councilman Nocera called the Public Works & Facilities Commission meeting to order at 6:32 p.m. Councilman Nocera requested a motion to approve the minutes dated February 9, 2022. Councilman Philip Pessina moved to approve the minutes. The motion was seconded by Councilman Ed McKeon, motion passed unanimously.

PUBLIC HEARING – LYCEUM ROAD CLOSURE:
Christopher Holden reported that concerns and complaint comments, about the condition of the road, and the number of potholes, were received at the Public Works Administration office, and also in See Click Fix (online notification system). The concerns and complaint comments prompted a consultation with the Risk Management Department. The decision was made that the road would not continue to be used until further evaluation could take place. It was determined that the elimination of vehicle traffic could potentially reduce claims against the City for damage to vehicles. This was brought to the Public Works Commission. He presented background information on the road, and surrounding land. This included a plan showing what it would take to reconstruct the road which included removal of pavement. The area is wet, making it difficult to maintain the integrity of the road. The City Engineer estimated the cost of repairs to be between $700,000.00 and $750,000.00. The estimated cost includes a large amount of gravel that would be needed as a base to decrease heaving in the road, which causes potholes. He also presented a concept plan showing a conversion to a trail utilizing the road and adjacent land. Due to the power poles along the road there would still be a need for maintenance so
that vehicles could get through to maintain the poles. Parking lots would be located at each end. The concept plan is very general in terms of what could potentially be done.

Councilman Nocera stated that discussion took place about making the road crushed stone like some of the other roads in the City. For example Training Hill Road and Cedar Street. This is another option that is available for this problem.

The Public Hearing was opened. A letter from Alicia Penney was read into the record. A letter from Dan Penney was read into the record. For the record, these letters are attached.

Speakers from the public were given an opportunity to speak, not to exceed 5 minutes each.

1. David Sandler stated that some of the issues he was going to bring up have already been addressed. His understanding has been that the road has been kept open to provide the fire department with access to water. He is 80/20 to keep the road closed. He has concerns about the bridge near his house, which crosses Harris Brook, should it need to be replaced. Has the City or Land Trust approached the owner of 470 Chamberlain Road to expand open space.

2. Diane Hayn has lived in the area for 45 years. The road has been bad all of those years. The fire department has used the water supply from Lyceum Road and she is not certain if they still do. What is the cost to put the road in if it becomes a park. Would like to know if the road can be surfaced with oil and stone.

3. Bob Daniels, who serves on the Agriculture and Conservation Commission, and is the Chair of the Agriculture Committee spoke about his experiences with the use of the road. It is used to keep agricultural equipment off of main roads, such as Chauncey Road and Millbrook Road. Many area farm families use Lyceum Road. He is in favor of making it a gravel road, even though most of the road is in great shape. Water is a concern as other towns have tankers and provide mutual aid. He has seen tanker trucks use Lyceum Road. In a hurricane it is beneficial to have Lyceum Road open.

4. Sheila Daniels spoke to the Commission. A copy of her comments are attached for the record.

5. Chris Bevans lives adjacent to Lyceum Road. He appreciates the good points that others have made. He has concerns about the dust and dirt from a gravel road. If there are gates installed at either end, he is concerned about what those gates would look like. He has concerns about people speeding on the road.

6. Joe Carta has been in the neighborhood for 28 years. He has used the road constantly. He believes that most neighbors want the road to remain open. The flooding comes from the culvert on Randolph Road. The road is needed in case of fire, or if Millbrook Road is closed. Keeping Lyceum Road open will keep the extra traffic off of Wilcox Road. Making the area park like will lead to debris and possible trespassing onto other properties. He shared points about making the park ADA accessible as well as concerns about property values for adjacent houses. The groundwater has been 12 inches higher this past year, and is part of the problem. Lyceum Road is also used by students who run for sports. He'd like Lyceum Road kept as is.

7. David Brown, Executive Director of Middlesex Land Trust explained that the land trust owns the majority of both sides of the road. The Land Trust supports the closure of the road, and the removal of the culverts. They would want to retain pedestrian passage. He supports using this area for the very best use that there could possibly be, including ADA access. He has been speaking with people for ten years about how much damage the road causes to the stream. It has been his experience that property in
close proximity to open space usually increases in value. The Land Trust supports the closing of Lyceum Road and having it remain pedestrian passable.

8. Angelo Bonamico believes Lyceum Road should not be closed due to drainage issues. He has lived in the area for 45 years. The brook between Millbrook and Chauncey has been an issue for many years. There are beaver dams which stop the water flow. The past three years especially, and in prior years, the water issues have been affecting many homes in the area. He has experienced other roads in the area being closed, and has used Lyceum Road to get home.

9. Diane and Carl Hayn have concerns about emergency vehicles being able to get to residents in the area. Especially if Millbrook Road is closed due to an unforeseen reason.

10. Tim Hollister stated that he is for keeping Lyceum Road open. He believes that previous speakers covered the reasons to keep the road open. Questioned if just the small area of road with potholes can be repaired. Stated the rest of the road is in great shape.

11. Linda and Ray Harris agree that Lyceum Road should stay open. Ray Harris stated that utilities need an actual road for access, and agrees that emergency vehicles need access.

12. Angelo Bonamico, Jr. stated that Lyceum Road should stay open for emergency vehicles. He stated that January 28, 2022 he plowed Lyceum Road. An ambulance had to go down the road, it was the quickest way to go.

13. Sheila Daniels read a letter into the record from Molly Daniels and Jessie Daniels Prince, members of the Daniels Farm LLC, sharing their opposition to the closing of Lyceum Road.

Councilman Gene Nocera closed the Public Hearing at 7:31 p.m. Councilman Nocera asked the Commission to consider putting this item back on the Agenda for the April meeting, to allow time to consider options, and the costs. Additionally, as several people noted, the rainfall this past year was unprecedented. Work is being done in the South Farms area on the critical basins, with the area not being able to handle the groundwater, which is another variable that is impacting Lyceum Road. Water like this has not been seen in previous years. Councilman Pessina moved to keep Lyceum Road closure on the agenda, until a decision is made and the road repairs are made if that is what is decided on. The motion was seconded by Councilman Ed McKeon. The motion passed unanimously.

PUBLIC COMMENT ON AGENDA ITEMS:

CORRESPONDENCE: Letters regarding Lyceum Road were read into the record during the Public Hearing

NEW BUSINESS:

a. Nutmeg Games: Chris Holden – Met with the Executive Director who is stepping down. Also met with his replacement to go through some of the planning process. Improvements will continue to be made for future years. Rohan Manning reported that scheduling has been laid out with the games starting primarily in July, including most locations being set. The Parks Department staff are preparing fields, not only for the Nutmeg Games but also, for season openings in April. Towns from as far away as Greenwich are responding. Advertising will take place, for downtown businesses, to try to generate revenue. It was clarified that the Board of Education is involved with scheduling the American Legion Tournament, which starts just as the Nutmeg Games end. The American Legion should be able to use Palmer Field as planned, as long as the weather
cooperates. Gene Nocera stated that it is good for Middletown to be the host City for such a prestigious event.

b. Fencing and Scoreboard – Utility Field: These items at the soccer and multi-purpose field, located at Beman Middle School, are being paid for by the parks bond. There is no invoice available yet. The design is not available for this meeting.

c. Coleman Carnival Contract: Chris Holden reported that the contract from last year can be used as there was no time limit on it. The estimated dates submitted are March 20th through April 15th. Councilman Pessina moved to allow Coleman Carnival to use the dates of March 20th through April 18th. Motion seconded by Councilman McKeon. There was discussion about the length of time requested. When the refined dates of setup are available, Chris Holden will submit them. A letter from Kevin Elak, Acting Health Director, was read into the record. The letter was in regard to Covid requirements. Permits for food booths will be required. The motion passed unanimously.

d. Northeast Recycling Council Spring Conference – Kim O’Rourke: Councilman Pessina moved to approve registration for Kim O’Rourke to attend the Conference. The motion was seconded by Councilman McKeon, motion carried.

e. STEPP MFG Pothole Patching Equipment SPHD: Specifications of the equipment were provided for review. The total cost of the item is approximately $60,000.00. The purchase may need to be delayed until July 1, 2022. Unless town aid funds can be used. Town aid is funding from the State which is based on the number of miles of road in the City. Councilman Pessina moved to lease the equipment, if town aid funds are not available for purchase. The motion was seconded by Councilman Nocera. Motion passed unanimously.

Christopher Holden requested to add an item to New Business:

The New England Chapter of the American Public Works Association is holding the Spring Conference on April 20, 2022. He and Tom Nigosanti would both like to attend the Conference. The cost is $100.00 per person. Councilman Pessina moved to have Christopher Holden and Tom Nigosanti attend the Conference. The motion was seconded by Councilman McKeon, motion passed unanimously.

OLD BUSINESS:

a. Recreation Center Update –
Chris Holden – A. Secondino & Sons, the HVAC and energy contractors are moving forward. Paul Pizzo – A. Secondino & Sons are approximately a third of the way through their work. The gym roof is being worked on. The pool roof will be next. Solar will be installed over the next couple of months. Working on getting Cathy Lechowicz into the front offices in early April. All of the contractors have been advised that the pool needs to be ready for use June 1st. Tile repair is needed on the floor of the pool. Ninety percent of the documents are finished for the Phase 2 work. Cathy Lechowicz has asked for a few minor changes. Pricing should be ready for the next committee meeting. Working with O&G, they have some exterior site work to complete. Cathy Lechowicz appreciates all of the work that Christopher Holden and Paul Pizzo are putting into this. Gene appreciates Cathy Lechowicz work as well.
b. **Veterans Pool and Splash Pad Update** – Mike Doherty – working with purchasing to get it out to bid in the next week. Looking to have it advertised the 15th or 16th. Good internal review with various city departments.

c. **Harbor Park Boardwalk Update** – Mike Doherty – looking to meet with Gerber Construction and the City to finish off the punch list items and wrap the project up. There will be a couple of small change orders. Councilman Nocera spoke about the dock hook up for the Lady Katherine. There are boat cleats in place.

d. **Multiuse Trail Update** – Mike Doherty – The project is moving along slowly. He is waiting for the City to return the archeologic survey contract. Chris Holden reported that as of the last Council Meeting, the land swap is official.

e. **Saybrook Road Update** – Chris Holden is still waiting for approval, on a few more items, from the State.

**OTHER:**

a. **February 2022 Monthly Report - Highway Division** – Chris Holden reported that there has been a lot of overtime due to storms and trees coming down.

b. **February 2022 Monthly Report - Parks Division** – Chris Holden reported that the Parks Department staff have been assisting with trees that are down.

c. **February 2022 Public Works Overtime Report** – Chris Holden reported that the Town Aid funding is depleted. Currently, overtime is being paid from the general overtime budget, and there should be enough money.

d. **February 2022 Building Permits** – Chris Holden reported that the estimated projected income, for the current fiscal year, continues to be exceeded. This is a reflection of the amount of activity in the City.

There was discussion regarding the process to be followed when closing roads. Clarification of the terminology used and/or the meaning of closure and/or abandonment of roads.

Councilman McKeon inquired about whether or not Christopher Holden had received any information about his status as Acting Director. Christopher Holden explained that he has a meeting with the Mayor on Friday, March 11th.

**PUBLIC COMMENT ON NON-AGENDA ITEMS:** None

**Adjourn** – As there was no further discussion, Councilman McKeon moved to adjourn. The motion was seconded by Councilman Pessina. The motion passed unanimously. Meeting adjourned at 8:14 p.m.
From: Alicia Penney <sissypen0628@gmail.com>
Sent: Wednesday, March 9, 2022 4:11 PM
To: Ford, Jr., Ed <Ed.Ford@MiddletownCT.Gov>; McKeon, Edward <Edward.McKeon@MiddletownCT.Gov>; Nocera, Gene <Gene.Nocera@MiddletownCT.Gov>; Holden, Christopher <chris.holden@middletownct.gov>; Peterson, Bobbye <Bobbye.Peterson@MiddletownCT.Gov>; Ford, Darnell <Darnell.Ford@MiddletownCT.Gov>
Subject: Lyceum Road Closure

This email was sent by someone outside of the City of Middletown.

To: Chairman Nocera and the Facilities Commission,

I am very disappointed with the abrupt decision to close Lyceum Road. At the February 9, 2022 monthly meeting public works Acting Director Holden stated, concerning Lyceum Road that “he would appreciate participation from anyone that would like to be involved in the planning meetings” if that was indeed the case why wasn’t a public hearing scheduled? Mr. Holden indicated that he had met with various city agencies as well as Middlesex Land Trust (a special interest group noted in MP article). Why is it that you didn’t have the courtesy to involve the general public/electors, and more importantly why were other city commissions not involved (Inland Wetlands Commission, Common Council/ordinance Chapter 214-33 & 36 Roads, Conservation & Agricultural Commission and Planning/Zoning). Now, after the fact, you are having a public hearing during your monthly meeting without proper notification to the public of a Special Meeting/Public Noticed meeting. Very disappointing.

Lyceum Road was in good condition until about three years ago when Millbrook Road was repaved. Heavy equipment carrying away tons of millings were barreling down Lyceum Road for days. Allowing those heavy vehicles to use Lyceum Road had damaging effects on the road that were never corrected. The city is aware of the sensitivity of that area and allowing such heavy truck traffic was the beginning of the end for the east side of Lyceum Road.

Mr. Holden also mentioned that closing Lyceum Road immediately would occur so “no future potential damage to vehicles would occur.” This gets me to my main point. The problem lies with the upper Chamberlain Hill Road area. That is an area that will and has caused vehicle damage for years. For decades the city has dispatched a grader, backhoe and similar heavy equipment including trucks loaded with tons of processed stone to repair the ditches and the wash boarding that occurs after every weather event.

How long do you continue doing the same thing with the same results until you decide to take a different approach? This decades long expensive practice has caused catastrophic environmental damage to Sumner Brook. The lack of proper drainage is evident in the entire Sumner Brook Corridor. Sumner Brook runs through my back yard. The path of the brook has changed drastically over the years. The brook has silt and processes stone sandbars that have washed down from the upper south end of Chamberlain Hill. The water has formed a new branch that flows to Lyceum Road. Now there are two brooks merging into the culvert. A right of way for Daniels Farm is on our property and is now the new brook path. The right of way is impassable.
Clogged culverts, blocked ditches, naturally occurring springs under the road, and a just plain lack of drainage on Chamberlain Hill as well as debris in the Sumner Brook Corridor needs to be addressed.

The brook is being polluted and the environment is changing, which may even violate some State and Federal environmental regulations.

Mr. Holden stated about Lycem Road, "that regardless of the cost to improve the road, the potential environmental enhancements would drive the reason to abandon the road." If there is such concern with the environment as stated, the pollution caused by decades of run off that ends up in Sumner Brook from the horrendous conditions of the unpaved section of Chamberlain Hill should be corrected.

In closing, please address Chamberlain Hill Road issues. Do an Engineering study, properly cut and shape the swale along Lycem Road, look downstream at the culvert on Randolph Road, and examine the dam beyond that. Address the root cause, don’t just close the Lycem Road. Properly cut and shape the swales, patch the short section the east end and open of the road.

I am requesting that this letter be read into the record of this evening’s monthly meeting.

Alicia Coughlin Penney

1101 Chamberlain Hill Road

Sent from my iPhone
Forwarded message

From: daniel penney <danpenney0628@gmail.com>
Date: Wed, Mar 9, 2022 at 3:12 PM
Subject: Lyceum Road & The Sumner Brook Corridor
To: Home <danpenney0628@gmail.com>

Public Works & Facilities Commission of Middletown:

Good afternoon, Chairman Nocera. I'm writing to share thoughts and concerns, some of mine and constituents I have heard from, regarding the subjects. I'll preface my supporting summary comments with a priority request of the Middletown Public Works & Facilities Commission (PW&FC) to initiate the following reasonable and urgent action.

Regarding this evening's monthly meeting and agenda item 3. Public Hearing - Lyceum Road Closure, I propose the following:

1. After all members of the public who may be able to participate and have completed their respective presentations, I recommend that the PW&FC move to continue said subject on the agenda as follow up business until such time that said commission can schedule Special Meeting - Lyceum Road & Sumner Brook. Such a properly noticed meeting, being both in person and virtual, is critical when considering such an involved action such as the closing of a road. Such would provide for any and all members of the public to participate and be heard while also allowing time for much needed subject research to be completed and shared well in advance, with all. Additionally, I'm confident that the many other subject specific commissions, such as Inland Wetlands, Planning and Development, Conservation & Agriculture and many others throughout our city would not only welcome such inclusion but would offer invaluable content specific contributions, thus enhancing opportunities for excellent positive outcomes.

2. In consideration the following comments and those that may have otherwise been brought to the attention of the PW&FC, I recommend that the PW&FC act this evening to direct that the needed preventative maintenance be completed on the short section of Lyceum Road that is in need and so that it can be reopened. This would include completing long overdue proper clearing of drain/run off swales on both sides of the road to correct any remaining water issues and then, with upcoming warmer weather, cold patch where need and monitor for any needed touch up action. As most of Lyceum is in better condition than many roads in Middletown, especially at this time of year, this would alleviate safety concerns brought on by the abrupt closing while providing time to properly plan cost effective milling of the problem area during the best seasonal times for a more lasting result.

Ongoing concerns:

Ordinance: Chapter 214, 214-33 & 214-36 Article III GENERAL REGULATIONS

1. Roads designated as closed:
A. 214-33 Road designated as closed

No pedestrian, equestrian, operator of a motor vehicle, including not limited to motorcycles, dirt bikes, mopeds, and snowmobiles, or operator of a bicycle shall travel on or along any road, trail, or path if such road, trail or path is designated as closed and proper signs have been posted by the proper authorities.

B. Any person violating any of the provisions of this section shall be prosecuted and fines in an amount as provided in 214-36

214-36 Penalties for offenses.

Each and every violation of the provisions stated herein shall constitute a separate and distinct violation subject to a fine in an amount not to exceed $500, except as otherwise stated herein.

2. With Lyceum Road closed, the only direct route to Wilcox Road is via Chamberlain Hill to Chamberlain to Chauncey Road. At the sharp curve on Chamberlain there is a old narrow bridge/overpass. If use were loss due to failure or an accident and knowing that the upper end of Chamberlain Hill is at times is dangerously passable, all access to Chamberlain Hill as well as Thistle Lane would be compromised not only for routine vehicle use but critical emergency responders. ? structural integrity.

3. Open space development is positive, but such well-intended efforts fall short when critical infrastructures are sacrificed or otherwise negatively impacted.

4. Lyceum Road, unlike years past and with aggressive neighborhood development over the years, such as Jackson Estates, Chauncey Road, Sherman Lee, Ribera Drive and Elizbeth Drive being developed,

5. It has recently been observed that the bridge/overpass on Wilcox Road has rails that are separating. Structurally this may be nothing more than engineered planed expansion. However, if this is not the case, need for structural evaluation, such may be an indicator of possible structural issues? As Wilcox is the only other crossover nearby road, the closing of Wilcox would be catastrophic as related to safety and risk management.

6. With Summer Brook being filled with silt and processed stone, including related stone dust from the upper section of Chamberlain Hill Road, the once thriving vernal pools and general habitat for both plant and various animal species has been destroyed. It seems both State DEEP and federal EPA services should be consulted relative to best practice mitigation efforts.

7. Lyceum Road supports critical Utilities serving hundreds of neighborhood customers.

8. Significant silt accumulation seems to be backed up at a downstream dam limiting a natural flow of Summer Brook. An engineering study should be initiated as well as consult with State dam compliance divisions.

9. On and related navigational systems continue to direct vehicle to Lyceum, which is resulting in very difficult and at times, dangerous turn around maneuvers. Including full size school buses, propane/oil trucks and large box trucks.

10. It appears from a vendor marking, work completed orange dot system, that catch basins located on Chamberlain Hill Road were not serviced last summer/fall, while all other neighborhood area road were completed.
Please enter my comments into the minutes if your meeting. Thank you.

Good Evening Chair Gene Nocera, Members of the Public Works Commission and Mr. Holden,

In regard to the February 9th meeting minutes, a member from the public commented giving his approval to close Lyceum Road noting closing the road to allow walking and biking and creating a little park would far outweigh any inconvenience or minor temporary objection.

Since this member of the public does not reside in South Farms, he doesn’t realize people presently use Lyceum Road to walk and bike on. Lyceum Road is as Mr. Holden referred to it, a farm road paved over and that paved farm road is still the most viable course for farm equipment to use in lieu of Millbrook Road. Mr. Holden reported receiving numerous complaints on the condition of Lyceum Road. It would be very interesting to see exactly how many complaints have been received for this road vs other roads throughout the city. He shared a picture of the road noting its poor condition. I must note that the most eastern end of Lyceum is the only area of the road in poor condition.

Lyceum Road does on occasion suffer from Sumner Brook overflowing on it, but if you visited the road you would see that is not where the potholes are. Sumner Brook also overflows onto Randolph Road, would you ever consider shutting that road down? Of course not! So why even list that as one of your reasons to close Lyceum Road?

He went on to say the road is hard to maintain and full repairs would be costly. The road has been in existence for many years and could be repaired to make it passable without harm to vehicles by simply diverting the water at the eastern end of the road. As residents of the area, we welcome that option and gravel atop of the road is fine with us.

Mr. Holden mentioned closing the road might make for a better wildlife corridor. Again, if Mr. Holden lived in the area he would know we don’t have a wildlife shortage. In fact it is not worth it for us to grow pumpkins on our farm because the wildlife we already have enjoy what would and should be our harvest for snacks, lunch and dinner.
Mr. Holden said he met with SF, PD, Middlesex Land Trust and the Mayor's office to (quote) get everyone's input. I guess the residents in the area of Lyceum Road don't qualify under everyone, nor is our input worthy as the decision seems to be final and actually posted as such online, begging the question of this hearing's value and probably wasting our time this evening which is my mother's 94th birthday.

Lyceum Road is not the problem. The problem is Sumner Brook and the heightened water table south of Randolph Road. The problem is a drainage issue not Lyceum Road. Lyceum Road is the victim of the above mentioned and of haphazard decision making by this commission without the consultation of those in the area that know the road and know what can help. People who have lived in the area for years and years. People who have plenty of knowledge of the road and how it's been maintained over the years, none of which were consulted.

You are concerning yourselves with closing a road that has no houses on it and stretches a mere ¾ mile connecting two areas for many that traverse it. And it is already a walking path for many. A dry trekable walking path at that! Removing the road and planting grass in an already wet area will not make for a good walking path.

And in closing Lyceum Road you are forcing traffic to Wilcox Road, a road with houses on it causing upset I'm sure for those residents.

With all due respect for Mr. McKeon and Mr. Ford, who motioned and seconded the proposal to close Lyceum Road, it is disappointing they would take such action without visiting the area, garnering more information or contact with constituents living in the area.

In another matter, and as a former Board of Education member who served the public for 12 yrs, and my husband currently chairing the Conservation and Ag. Committee, we find it inexcusable that most of you did not even acknowledge you were in receipt of our emails. Correspondence from the public should be addressed. We could have chosen to comment on social media, but respectfully did not. We showed you all respect by contacting you via email rather than publicly and you lacked the same courtesy by not responding to us.

I implore you to do the right thing by reopening Lyceum Road for vehicular usage. Address Sumner Brook so more harm is not done to the area. I thank you for your time and consideration of all of our concerns. Do the right thing, please. Stay well and take good care.

Additional comments: parking area? Who will maintain it? Multi use trail w/wetlands? Road w/crushed stone suggested by Gene is a great idea. Glad you are looking at options.

Sent from my iPhone