

July 2021 TPNA Special Meeting
re: Fiber Optic Cable Placement

Minutes
Wednesday July 7 at 7:00 pm
Zoom

Abbreviated board business:

Proposed letter of support for the City's RAISE transportation grant application--motion to support, seconded, and passed unanimously.

Introductions:

Board:

Karalyn Colopy, Mollie Flowe, James Dobbins, Waugh Wright, Scott Doran, Beth Sheppard, Adam McClellan, Caroline Black, (Beth Emerson)

Verizon

Bob Hagerty, Verizon, Senior Manager Outside Plant Engineering, Robert.J.Hagerty@verizon.com
Michael Brant, Verizon, Manager of Network Partnerships for NC/SC
Tamara Closs, Verizon, Market Manager for TN and Carolinas

City

Dan Vallero, City Engineer, Daniel.Vallero@durhamnc.gov
Dalton Echols, ROW Permitting

Neighbors present:

Christopher Anderson, Dave Michelman, Phil Jakes, Phil Azar, John Dagenhart, Andy Stewart, Jennifer Franklin, Peggy Kinney, Elliot Mamet, Mary Molina, Gabriele ?, Deborah Dobbins, Liz Ziolkowski, Jarrod Ambrose, Annie Ambrose, James Sorr, Ron Gallagher, Swiss Army Phone, Barker French

Overview from guests:

Dan Vallero:

engineering dept has 3 employees and 3 openings

Permits for Verizon and others to work in city--the city has duty to issue if all guidelines are met.

Inspections required at certain points, mainly looking for roadway and ROW integrity and privately owned facilities. City code requires company that makes damage is required to repair.

City also responsible for inspections: Scope is limited to city's infrastructure and ensuring that company lives up to license agreement with the city. Company doing work is ultimately required to remedy any problems.

Verizon representatives:

Bob: Any damage is a problem for them too; goal is to leave area as they found it. They are working to remedy recent problems with sewer line.

Michael: Works on fiber and wireless. Collaborates with cities where Verizon works. Involved with 5G buildout.

Neighbor concerns/questions/discussion:

Jennifer Franklin: affected by gas leak, internet interruption, and broken sewer line, which caused raw sewage in house, frustrated by lack of communication and reimbursement and by lack of effective notification of work.

Bob H. shares email and expresses intention to remedy issues, as well as necessity of working with subcontractors.

Dan V: city does not/is not able to mark sewer lines, but contractors and subcontractors are required to do due diligence and know that sewer lines exist at every address. City's license/agreement is with Verizon (contractor) not with Alpha (subcontractor).

Ongoing discussion of complications of working with subcontractors, communicating ensuing work effectively, digging through rock.

Bob H: two more sections of underground work to happen in TP this year.

Elliot M: expresses frustration with communication and reimbursement around gas leak evacuation.

Ron Gallagher: what is plan for continued 5G build? Michael B says plan info is confidential.

Scott Doran: Concern about better communication of digging plans and reasons.

Continuing discussion of need for effective communication about work and contact point (what company? What phone number?) for damage or concerns.

Dan: residents can always reach out to city, who will help find the right contact.

Email question re: marking of underground utilities. Dan V says this is funnelled through 811. City of Durham does not mark private sewer or water services. Contractors are required by agreement with city to find water/sewer lines whether marked or not.

Phil Azar: suggestions for better communication.

Dan: clarification of "stop work" orders. Companies do not have permission to work on private property. City can place stop work order on all of a contractor's work in the right of way until problems are addressed. Residents do not have power to stop work in ROW abutting their property, but can ask city to do it. City is limited by laws passed at state level.

TPNA response:

Discussion of proposed resolution to be sent to City Council. Move to delegate Karalyn to make proposed edits, seconded, unanimous vote in favor.

Addendum:

Editing continued via email, final board vote via email. see final resolution attached/below.

TPNA BOARD RESOLUTION

Since October 2020, Trinity Park residents have been subjected to unnecessary disruptions resulting from the installation of fiber optic cable. The installers, sometimes working without advance notice to neighbors, have generated prolonged construction noise, damaged trees, damaged sidewalks, damaged yards, disrupted traffic and cut utility lines (internet, sewer, water). We note that loss of internet is an economic and educational issue, not merely an inconvenience, in this time of virtual school and working from home. The damages to city and private property have not been properly repaired and the damage to private property has not been compensated. Indeed, a gas line was cut, which required late night evacuations in a significant portion of the neighborhood. Neighbors were justly afraid and distressed, especially given our proximity to the 2019 gas explosion on North Duke Street. Similarly, due to interference with sewer lines, multiple residences had sewage back up into the home.

None of this is the typical result of infrastructure upgrades. The neighborhood has experienced other physical upgrades and repairs that have been professionally and responsibly carried out.

The Trinity Park Neighborhood Association (TPNA) very much appreciates Durham Principal Engineer Dan Vallero's productive meeting with residents to hear concerns and explain processes, especially his willingness to work to improve the process and share his contact information.

Accordingly, TPNA requests, in order to more closely manage and hold accountable those involved, that the Durham City Council and relevant City of Durham departments:

1. Review, and benchmark against best practices, the process by which the City permits and supervises fiber optic providers and their subcontractors, with a goal of ensuring safety, decreasing disruptions, and increasing communication with affected residents;
2. Report the findings of this review to Durham City and County elected officials in open public meetings;
3. Require positive identification of all utilities in the right-of-way before digging for fiber optic is allowed to begin;
4. Place stop orders on fiber optic placements near gas lines until the above review is complete and any necessary changes are made to digging policies and procedures;
5. Require that fiber optic providers communicate with affected residents before and during any digging in the right-of-way; and conduct a review of all communication processes, including appropriate prior notification, identification of responsible parties, and escalation processes.

Passed this 7th day of July 2021 by vote of the TPNA Board of Directors.

Signed,
Waugh Wright
TPNA Secretary