

**CITY OF NORWALK
PUBLIC WORKS COMMITTEE OF
THE COMMON COUNCIL
APRIL 7, 2009**

ATTENDANCE: William Krummel, Chair; Andrew Conroy; Laurel Lindstrom;
Kelly Straniti; Fred Bondi (8:20 p.m.)

STAFF: Hal Alvord, Director

OTHERS: Diane Cece; Larry Ruttenberg

Mr. Krummel called the meeting to order at 7:38 p.m.

Public Participation Portion

1. Public input.

Mr. Krummel offered the public an opportunity to speak.

Mr. Larry Ruttenberg, Buckingham Place said that he was here this evening for his monthly update on the Buckingham Place drainage project.

Ms. Diane Cece, Olmstead Place asked for an update on the status of the Olmstead/Fitch project. She also spoke about item #2 on the agenda and said that she objects to agenda items with blanks. Ms. Cece also reserved the right to object if the event there was a suspension of the rules further in the agenda.

There were no other members of the public who wished to address the Committee.

2. Project updates - See attached project status sheet.

The Committee discussed the status of the various projects.

Bridges:

Mr. Krummel asked about the status of the Tokeneke Bridge project. Mr. Alvord explained that Darien is not contributing to the project, because they are putting funding into their flooding mitigation program.

Mr. Alvord reported that Brunalli pushed through on Reed Street.

Drainage/Sewer Extensions:

Buckingham/Lockwood Pipe Replacement – Mr. Alvord reported that they are waiting for the DEP so they can get the bid package out. He said that they will follow up.

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Olmstead Place Drainage Improvements – Mr. Alvord said that the clean up and plantings are left. He said that they intentionally held off on the plantings until the last frost. The rest of the repair work will be done within the next two months.

Mr. Krummel asked Mr. Alvord for an executive summary on the stormwater authority pilot program. Mr. Alvord said that he made a PDF copy for the Committee and sent it to them after the last meeting. He said that he will resend the document.

Five Mile River – Mr. Alvord said that one resident came in with an application to do work on their bank. He said that this will go to the Conservation Commission.

Roads:

Mr. Krummel noted that there was an issue with starting paving work on Fox Run Road. Mr. Alvord said that the contract document was in the Corporation Counsel's office and not yet executed. No work can begin without a fully executed contract. He hopes to have it by late this week or early next week. Mr. Alvord said that they expect to get all of the streets paved and may be able to do the alternates along with some road from next year's program.

The funding from the stimulus package will be used to pave the larger streets such as Ponus Avenue and Martin Luther King Drive. Ms. Lindstrom asked Mr. Alvord if an effort was made to spread the paving throughout the City. Mr. Alvord said that if anything was missed, it was because they did not get more funding. These streets were in a queue.

Drainage/Sewer Extensions: (continued)

Mr. Krummel asked Mr. Alvord if there was any flooding from the recent rain storms. Mr. Alvord said that there was no flooding.

Roads: (continued)

Ms. Lindstrom asked about the East Avenue Improvement project. She noted that comment sheets were submitted to Mr. Alvord. He said that he has not had a chance to review those sheets. Mr. Lindstrom said that they can't move forward until they have been assessed.

Rowayton Avenue Widening – Mr. Krummel asked Mr. Alvord if he sends the information to the Rowayton Civic Association. Mr. Alvord said that he sends it to all of the Common Council members and to abutting property owners. Mr. Conroy said that people believe there will be a budget discussion. He said that there is no talk about landscaping on the slope. Mr. Alvord said that discussion will take place at that meeting. Mr. Krummel noted the huge pothole at the underpass in Darien on Route 1.

East Avenue Improvement project: Ms. Lindstrom said that most of the residents of East Norwalk were opposed to widening the road to four lanes. She said that if the project was scaled back it would cost the State less. Ms. Lindstrom asked if there was some way to make use of the original funds to do esthetic treatments or safety provisions. Mr. Alvord said that there are opportunities to do that, but what needs to be taken into consideration is that the budget was created a few years ago.

Mr. Alvord said that the problem with planting trees is that there is no place for them in the public right of way. They would have to be planted on private property. Ms. Lindstrom said that she would like to add a neighborhood feel by using such items as red brick in the sidewalks and strategically placed planters. The idea is that East Avenue is a gateway and Ms. Lindstrom said that the City should put additional funds for trees on the street. Mr. Alvord said that there are funds available for trees if they are made a part of the project. Ms. Lindstrom expressed concern that this project will look like any other state road. Mr. Alvord explained that they are not at the point in the project to add esthetic details.

Ms. Lindstrom said that she would like to add bump outs near Dunkin Donuts on East Avenue. Mr. Alvord said that would create an obstacle to smooth traffic flow.

Ms. Lindstrom expressed concern to Mr. Alvord that the written comments from the informational meeting were not taken into consideration.

Mr. Alvord said that over 30,000 cars travel that road daily and they have to try and carry that traffic in a better way than currently exists. He explained that they are not at the point in the project to start adding details; they have to start with the engineering and then decide what to do to make it look better. Mr. Krummel said that the engineers have to understand the concerns of the neighbors.

Ms. Lindstrom said that this Committee should be getting information on the traffic studies or the rationale for creating four lanes of traffic so that they can be fully educated. Ms. Lindstrom asked Mr. Alvord why this Committee did not get copies of the traffic study. He said that he does not typically provide traffic studies. He added that the more paperwork he has to do, the less time he has for his other work. Mr. Alvord said that this project has been around for 12 years.

Ms. Lindstrom said that this is the first time that the Common Council will be reviewing the rationale to go forward with this project. Mr. Alvord said that the project was approved in the capital budget. He explained the approval process.

Mr. Krummel said that they are looking at a means of allowing the public to get information on what is being proposed and done on some of the major project. He noted that it is a lot of work, but if this is a State project, they should provide information. Mr. Alvord said that is not going to happen. The State does not even want to hold public information meetings.

Mr. Bondi joined the meeting at 8:20 p.m.

Mr. Alvord reported that there have been no sidewalks identified for repair or replacement. He said that there is only enough funding for emergency repairs of short sections.

Water Pollution Control Authority:

West Side inceptor rehabilitation – Mr. Krummel reported that on Friday there was an emergency situation with the condition of the storm drain along the west side of the Norwalk River. It will be very expensive to replace the pipe. He noted that it was unlikely that any sewage got into the River. Mr. Krummel said that a question was raised asking why a building was built above the sewer pipe. Mr. Alvord explained that there was a time in the City’s history when structures were allowed to be built above sewer pipes.

Other:

GIS Master Plan – Mr. Alvord said that the master plan is done and a committee formed. They have met three times and are in the process of setting goals. He noted that they are making a lot of progress.

Business Portion

**** MS. LINDSTROM MOVED THE FOLLOWING ITEM:**

1. Approve the Minutes of the Public Works Committee meeting of Tuesday March 3, 2009.

The following corrections were made to the minutes:

Page 3: SWERPA should read: SWRPA

Page 8: first paragraph event should read: even

Second and third paragraph should read: so as not to burden the people

**** MOTION PASSED AS CORRECTED WITH ONE (1) ABSTENTION (MR. CONROY)**

**** MR. CONROY MOVED THE FOLLOWING ITEM:**

2. Authorize the Mayor, Richard A. Moccia, to execute an Amendment to the Agreement with A. DiCesare Associates, P.C. for professional engineering services for the design of East Avenue Roadway Improvements for a sum not to exceed \$54,360_. [to be provided at meeting]

Account No. 0900 0400 5777 C0162 - \$7,130.00

Account No.0907 040 40210 0 5777 C0234 \$47,230

Mr. Alvord explained that A DiCesare Associates had been selected to be the engineering consultant in the late 1990s. It was understood that this would take a long time. Mapping and surveying have to be ready for when the time comes to go out to bid. He said that there are going to be a number of amendments to this project.

Ms. Lindstrom asked about the budget. Mr. Alvord said that there are no budget accounts and there are no totals available yet. Ms. Straniti said that this is an amendment to a project that has already been started.

Mr. Krummel asked why there were blanks on the agenda. Mr. Alvord said that the proposal from DiCesare came in on Monday of last week. After review, the staff was not comfortable. They were unable to finalize this before the agenda package went out. He said that this is not an unusual approach. The same is done with some infrastructure projects. Mr. Alvord said that they will not set a base amount because the amounts will change; he reiterated that this is not an unusual approach.

Ms. Lindstrom said that it should be mentioned that this amendment is one of a certain number of amendments. Mr. Alvord said that he could do that.

Ms. Lindstrom told Mr. Alvord that at a meeting she asked him if the Common Council has more approvals for this project and he said that they would in 2012. She said that she went away from that meeting making the assumption that there would be no further amendments. Mr. Alvord said that he was caught in a weak moment; he had come from three different meetings.

Ms Cece said that she felt strongly that a majority of the people at the March 17th meeting were not comfortable. She said that she thought the purpose of the meeting with the DOT and DPW was to engage and solicit public opinion. She said that the impression was that this project would not start for some time. Ms. Cece said that it was disrespectful that what people said would not be taken into account.

Mr. Krummel said that the Committee should be informed when changes are going to be made to the design and that the community should know what is going on.

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It was agreed to add the following wording to the motion (in italics)

2. Authorize the Mayor, Richard A. Moccia, to execute an Amendment to the Agreement with A. DiCesare Associates, P.C. for professional engineering services, *with surveying, mapping and any ancillary tasks* for the design of East Avenue Roadway Improvements for a sum not to exceed \$54,360_. [to be provided at meeting]

Account No. 0900 0400 5777 C0162 - \$7,130.00

Account No.0907 040 40210 0 5777 C0234 \$47,230

**** MOTION PASSED WITH ONE (1) ABSTENTION (MS. LINDSTROM)**

**** MR. BONDI MOVED THE FOLLOWING ITEM:**

3. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Clean Harbors Environmental Services, Inc. for the conduct of Household Hazardous Waste Collection Days for a sum not to exceed \$24,400.00.

Account No. 014042 5258 (funding FY 2008-09 and FY 2009-10)

Mr. Alvord said that this is the first year that each town is doing this on their own.

**** MOTION PASSED UNANIMOUSLY**

**** MS. STRANITI MOVED THE FOLLOWING ITEM:**

4. Authorize the Mayor, Richard A. Moccia, to execute an Inter-Municipal Agreement for Cooperation in the Conduct of Household Hazardous Waste Collection Days.

[no associated cost]

Mr. Alvord explained that the schedule is on the website and was sent to the residents. He noted that it took a lot of coordination to schedule this. He added that this is a very comprehensive schedule.

**** MOTION PASSED UNANIMOUSLY**

**** MR. BONDI MOVED THE FOLLOWING ITEMS:**

5a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Safety Marking Inc. for the installation of new pavement markings and symbols associated with Project TRF2009-2 Proposed Pavement Markings, Symbols & Legends at Various Locations for a sum not to exceed \$137,590.00.

5b. Authorize the Director of Public Works to issue Orders on Contract to Safety Marking Inc. for the installation of new pavement markings and symbols associated with Project TRF2009-2 Proposed Pavement Markings, Symbols & Legends at Various Locations for a sum not to exceed \$13,759.00.

Account No. 0909 4021 5777 C0021

Ms. Lindstrom asked if this was normal to do on an annual basis. Mr. Alvord explained that the contract with High Way Safety System was terminated early for numerous performance problems.

**** MOTION PASSED UNANIMOUSLY**

**** MR. BONDI MOVED THE FOLLOWING ITEM:**

6. Authorize the Director of Public Works to issue Orders on Contract to The Brunalli Construction Company for Project No. BR 2007-2, Reed Street Railroad Bridge and Reed Street Extension, in an amount not to exceed \$636,930.00.

Account No. 09020910-5777-C0241 (\$502,360.00)

Account No. 2003103001 (\$134,570.00)

Mr. Krummel said that there was extensive back up for this item and suggested that it could have been split into two separate items – roads and utilities.

Mr. Alvord reported that there have been changes made in the layout of 95/7 which were anticipated.

Mr. Alvord said that the road will be roughed out and the base set in place. The final alignment for Reed Street is set. The building locations are changes and any changes made now will be the responsibility of 95/7.

**** MOTION PASSED UNANIMOUSLY**

**** MS. LINDSTROM MOVED THE FOLLOWING ITEM:**

7. Approve City of Norwalk Tree Management Plan.

Ms. Lindstrom noted that this is the first tree management plan for the City. Mr. Alvord gave an overview of the charge of the Tree Advisory Committee. He said that appendices will be added to the plan from time to time. Ms. Straniti praised the plan and suggested a

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revision to page 4 under Neighborhood Associations. She suggested removing “residential and add property owners/tenants”. Mr. Alvord explained that the Tree Advisory wrote the plan.

Ms. Lindstrom said that she was thrilled to see this plan in writing. She recommended listing Tree Advisory members in the plan. Mr. Alvord said that they would have to change the list all the time, because the Committee changes. Mr. Krummel said that he would like to see the people who worked on the plan credited for their work along with the Tree Warden. Mr. Alvord said that Mr. Nelson is the Chairman of the Tree Advisory and has been since the beginning.

The Committee reviewed the plan. Ms. Lindstrom noted that there were no typos. Mr. Alvord said that any changes that would be made over time would be in the appendices, and not in the body of the Plan.

Ms. Lindstrom suggested adding that Norwalk is a tree city within the purpose on page 3. Mr. Alvord said that the Committee’s goal was to improve the urban forest in the City. In referring to page 4, under Neighborhood Associations, Ms. Lindstrom said that not all neighborhood associations have a defined geographical area. Mr. Alvord said that all but one neighborhood association has defined boundaries.

Page 6, Ms. Lindstrom said that it was important to add Norwalk Public Schools because they should be more involved. She said that was a key focus when she started on the Tree Advisory. She was that she was involved in creating a poster contest with the students. Mr. Alvord said that the schools do nothing; individual principals are the ones who get excited about the programs. Ms. Lindstrom said that it would be a shame not to have them on the list. Mr. Alvord said that individual schools are addressed in the Arbor Day section. Ms. Lindstrom said that all of the schools took place in the poster contest. Mr. Alvord said that the Tree Alliance focused on individual schools. Ms. Lindstrom said that she did not agree and feels that they should be in this Plan.

Page 13, Ms. Lindstrom said that there was no mention made about posting for tree removals. Mr. Alvord suggested that Ms. Lindstrom may want to send her comments to the Tree Alliance; he noted that they spent a lot of time on this Plan. He said that they approved this Plan at their meeting last month.

Ms. Lindstrom suggested adding the definition of posting in clearly printed weatherproof lettering. Mr. Alvord said that there is no requirement for that in the Tree Ordinance.

Ms. Lindstrom suggested that the Resource Library could be placed in the public library. Mr. Alvord said that it is maintained in the DPW Library and is not given out to people because of potential legal issues.

Ms. Lindstrom said that Mr. Alvord mentioned sending this Plan back to the Tree Advisory to incorporate the changes. Mr. Alvord said that the Plan is the work of about

10 people and if this Committee is going to get into detailed changes it would be a courtesy to return this Plan to them.

**** MS. STRANITI MOVED TO APPROVE THE PLAN AS AMENDED AND FORWARD TO THE FULL COUNCIL**

Mr. Conroy said that he was opposed and feels that this Plan should go back to the Committee because it is their product. Mr. Alvord said that he could send them an e-mail with the recommended changes for their review. Mr. Conroy said that he would approve this motion with the concurrence of the Tree Advisory.

**** MOTION PASSED UNANIMOUSLY**

Ms. Cece asked if a public hearing was going to be held on this. Ms. Lindstrom said that it would have been an opportunity for the Tree Advisory to hold a public hearing. She added that they could still do that. Ms. Cece said that she would like to bring this Plan to the CNNA. Mr. Alvord said that is up to the Tree Advisory. He said that they may want to wait to hold a public hearing until the Plan has been approved by the Common Council. He added that if the Plan is approved, copies will be available at the Tree Festival.

**** MS. STRANITI MOVED THE FOLLOWING ITEM:**

8. Approve proposed revisions to Chapter 112, Trees, of Norwalk City code and forward to the Ordinance Committee of the Common Council.

Mr. Alvord explained that 30 years ago the State laws capped fines at \$30.00. Mr. Alvord said that this item will be forwarded to the Ordinance Committee and they will hold a public hearing.

Mr. Krummel asked the Committee if they wanted to leave this as is, or note that this is a living document. Mr. Alvord explained that what is in the Tree Management Plan is stable; the Tree Advisory focus now is to find ways to complete the tree inventory.

**** MOTION PASSED UNANIMOUSLY**

**** MR. BONDI MOVED THE FOLLOWING ITEM:**

9. Adopt a billing policy for the Transfer Station and Yard Debris Site and schedule a public hearing for same.

Mr. Krummel said that there were seven options presented and only one of them was recommended.

Mr. Alvord said that the Common Council approved 1.5 tons free, but he noted that he is unable to implement that plan. He said that Mr. Hempstead suggested coming up with a

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proposal to sell stickers. Ms. Lindstrom said that they seem to be rehashing and rephrasing this differently. Mr. Alvord said that it came back to Committee because the 1.5 free ton plan can not be implemented. He said that he was asked to create a plan to eliminate free tonnage, but can't sell stickers because he does not have enough administrative staff. Mr. Alvord suggested eliminating free tonnage for people who go over the scale. The new software will allow people to pay by credit card at the transfer station.

Ms. Straniti said that a public hearing is needed because they are changing fees. Mr. Conroy suggested consulting with an attorney first. Ms. Lindstrom said that she did not agree with the way the Common Council voted, but they have to make it work, because that was what was approved. Mr. Alvord said that he can't make it work because he does not have the administrative resources to send bills to people. Ms. Lindstrom said that they are left with what the Common Council approved.

Ms. Straniti suggested going to the Corporation Counsel and asking for an opinion. Mr. Bondi said that this item could be reconsidered by the Common Council, at which point they can vote to eliminate the 1.5 free tons. Mr. Krummel said that the person who voted in favor can make the motion to reconsider. Mr. Conroy said that the motion could be defeated.

Mr. Alvord said that they will need a public hearing on this item. Mr. Bondi said that a public hearing was not necessary if they reconsider the motion. Mr. Conroy asked Mr. Alvord to ask the specific question. Mr. Alvord said that he did not want to be in a situation where the Common Council votes to do something that he can't implement.

Ms. Lindstrom said that if they move forward on this, she would go with item 7 where the cars are free. Mr. Alvord said that is the way it is now. Ms. Straniti said that it would be only fair if all residents could go over the scale and not pay. Mr. Bondi said that everybody contributes to keeping the Transfer Station open. Norwalk lost a lot of revenue by not going to Meadow Street and that would have taken us out of this economic problem. In addition Norwalk lost the beach sticker fees.

Mr. Krummel said that he wanted to have Corporation Counsel look at item 7 as a substitute for an unworkable policy.

**** MOTION PASSED WITH ONE (1) ABSTENTION (MR. CONROY) AND ONE (1) VOTE IN OPPOSITION (MS. STRANITI)**

**** MR. BONDI MOVED THE FOLLOWING ITEM:**

10. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with the Town of Westport for the management and maintenance of Duck Pond Road.

Mr. Alvord said that a similar Agreement was done on Cranbury Road and it worked well. He said that Duck Pond Road was coming up on the capital paving plan. The road is plowed by either Norwalk or Westport, depending upon who gets there first.

**** MOTION PASSED UNANIMOUSLY**

General Information Portion

1. Norwalk transfer station.

Mr. Alvord reported that there has been an increase in tonnage during January and February at the Transfer Station. Mr. Alvord said that he had been withholding the December payment to CRRA for work that had not been completed. They credited the City and sent a revised invoice. They are in the process of quick claiming the deed back to the City.

Mr. Bondi asked Mr. Alvord if there are any traffic jams at Meadow Street. Mr. Alvord said that there are none at all. He noted that it is too late for City Carting to revisit that. He said that it is working fine and there are no traffic jams there. Solid waste is at the permit level of 250 tons a day.

2. Asphalt pricing.

Mr. Alvord reported that as of yesterday, the cost is going down. O & G prices are going down, but he does not know by how much. They have no plans of re-opening the Norwalk plant unless it becomes financially viable to do so.

3. Economic Stimulus Road Preservation Program.

Mr. Alvord said that there are maps of nine roads in the backup.

**** MS. STRANITI MOVED TO ADJOURN**

**** MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 10:40 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services

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