

*Public Works Committee Actions*

CITY OF NORWALK  
PUBLIC WORKS COMMITTEE  
REGULAR MEETING  
**July 1, 2008**

ATTENDANCE: William Krummel, Chair; Carvin Hilliard, Douglas Hempstead, Laurel Lindstrom, Kelly Straniti (7:37 p.m.); Fred Bondi (7:46 p.m.)

STAFF: Hal Alvord, Public Works Director

OTHERS: Robert Maslan, Corporation Counsel; Rev. Bolden, Council Member; Diane Cece, John Frank, Diane Lauricella, Steven Serasis, Council Member, Amanda Brown, Council Member; Robert Burgess, Mr. Aymes, Joe Newell

CALL TO ORDER

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

PUBLIC INPUT.

Let it be noted that the following comments and remarks by all speakers have been summarized and are not necessarily verbatim.

Mr. Krummel said that there were a number of speakers at the meeting and that the speakers will be limited to three minutes. He said that he would like to note that Atty. Maslan was present as were a number of Council members.

Mr. Robert Burgess came forward and said that it was a dumb idea to send more garbage to South Norwalk. He then asked for a Phase 1 and Phase 2 environment impact study. He said that there was no documentation to compare the information with. He said that what the administration was trying to present was ridiculous without back up. He said that there was a public hearing at Meadow Gardens was a smoke screen and that he didn't think that anyone would be showing up. He said that Mayor Moccia had announced at the meeting that the Meadow Street project was no longer on the table.

Ms. Straniti joined the meeting at 7:37 p.m.

Mr. Aymes said that given the poor history of clean up, the people of South Norwalk have no faith in the City cleaning up the area. He pointed out that the Mayor had already indicated his willingness to use Crescent Street for transfer station. The item had been tabled twice on the Council level and that it was already a dead issue.

Mr. Joe Newell came forward and said that South Norwalk was heavily impacted with environmental issues. There was a danger of traffic and health problems. He said that the area needed to be looked at in its entirety. He said that the quality of life needed to be considered. The issue should be cleaning up the area.

Mr. Butler came forward and said he was the general counsel for Enviro express and that Enviro's bid was only pennies from the bid from City Carting. He said that Enviro sent out a letter to the members of the Council about this. He said that the Enviro had offered an even lower bid had been submitted and that the Committee should consider this before going with City Carting.

Ms. Lauricella said that she wished to address Agenda Items 2 & 3. She said that as the President of the League, she felt that Mr. Bondi had attacked the League and it has a chilling effect. She then said that regarding Crescent Street, she did not believe that the City should vote on the issue tonight. She said that the City could expand the recycling at Crescent Street and that there was room expand the recycling.

Ms. Lauricella asked why the dumpster juice had been flowing all over the place. She asked why the DEP wasn't called about this.

She then asked about Meadow Gardens meeting and stated that she felt it was it was being used as a threat.

Ms. Lauricella then addressed that the system of withholding the information from the public until the last minute. She said that this was wrong.

Ms. Farnsworths from Harborview came forward and then gave Mr. Krummel some photos of traffic on Meadow Street and also some photos of the plant in Stamford, which she had taken.

Mr. Bondi joined the meeting at 7:46 p.m.

Mr. Ernest Dumas came forward and said that he was against the program on Meadow Street and had gone to Stamford to view the site. He said that the area smelled and looked terrible. He said that there are health issues in the area. South Norwalk does not get the same treatment as others in Norwalk and the area needs to be cleaned up and there is a lot contamination in the area.

Mr. Sumpter came forward and said that he was a resident of South Norwalk and agreed with everything about the impact on the area was true. He asked what the other bid numbers and mentioned that the contract had been reduced to five years. He also said that having the meeting at Meadow Gardens would not be a good venue for a public meeting and suggested that the venue be changed to another site.

Ms. Cece asked why again there was an agenda item included for a vote without a firm dollar amount. Ms. Cece said that she had mentioned this issue before and that items

continue to appear on the agenda without completed figures. She asked if this item would be moved to the Council. She also added that she agreed with the comments about Meadow Gardens and the situation regarding South Norwalk.

Mr. Charles Tanney came forward and said that he was a new resident in Village Creek. He said that he works with SoundWaters and that the Village Creek is a nursery and the degradation of the area could have serious environmental impact. He would like to see the environmental impact study on this.

Mr. Krummel then asked three times if there was anyone else who would like to address the Committee. He repeated the question. Hearing none, Mr. Krummel closed the public input section

Approve the Minutes of the Public Works Committee meeting of June 3, 2008.

**\*\* MS. STRANITI MOVED TO APPROVE THE MINUTES OF JUNE 3, 2008.**

The following correction was noted:

Page 4, motion: please change the following from:

**\*\* MR. HEMPSTEAD MOVED TO APPROVE ITEMS 2 &3.**

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

TO

**\*\* MR. HEMPSTEAD MOVED TO FORWARD AGENDA ITEMS 2&3 TO THE COUNCIL.**

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

**\*\* THE MOTION PASSED WITH IN FAVOR (HEMPSTEAD, STRANITI, BONDI, LINDSTROM AND KRUMMEL) AND ONE ABSTENTION (HILLIARD).**

Authorize the Mayor, Richard A. Moccia, to execute an agreement with City Carting, Inc. for the operating of the Crescent Street transfer station and the transportation and disposal of solid waste for a term of five years commencing on January 1, 2009, and for a sum not to exceed \$13,668,605 (based on an estimated 23,000 tons per year).

**\*\* MS. STRANITI MOVED THE ITEM.**

Mr. Krummel explained that the Meadow Street had been an option and that the proposal in the agenda was actually the subject of the RFP. Mr. Alvord then reviewed the structure of the RFP and the options.

Mr. Bondi asked what the savings would be with this plan. Mr. Alvord reviewed the details. Mr. Bondi said that he was in favor of going to Meadow Street and outlined the reasons why. After this, he then said that he was not in favor of the proposed bid.

Mr. Hilliard asked what the Enviro-express bid was. Mr. Alvord reviewed the fact that the seven towns that were involved had reviewed the three bids from three various companies, the seven towns agreed that City Carting was the lowest, We Care was the second cost and Enviro-express was the third. Mr. Alvord said that after this, there were additional considerations since City Carting owns the Meadow Street facility. He said that once the Meadow Street option was off the table, there were other variances such as fuel escalators.

Mr. Hempstead had several questions about the fees and terms associated with contract, which Mr. Alvord reviewed with him. Mr. Krummel then asked what flow control was. Mr. Alvord then explained that flow control was an effort to insure that garbage from Norwalk is not taken to another community because the other community has a lower tipping fee. Mr. Alvord then reviewed the courts decision on Carbone and then, more recently on Herkemier. Westport has enforced flow control. He noted that it doesn't take too much to attract or drive tonnage away. Mr. Alvord said that he believed that there was 23 tons of garbage from the City collections.

Mr. Alvord said that there were three options regarding Crescent Street and reviewed these options with the Committee. Mr. Krummel had several questions about the tonnage and the details of the operation at Crescent Street.

Mr. Serasis said that there are no trucks double parked in front of public housing at Crescent. He said that he has been there and the transfer station is tucked in and surrounded with other businesses, unlike Meadow Street, which has residential areas in the immediate vicinity.

While there are good things about the plan Mr. Serasis said, no one has mentioned the impact on the quality of life for people who live in the area. He said that he delivers furniture to people who live at Meadow Gardens. He said that the quality of life for those people for those who live in that area. Mr. Serasis said that he gets along with Mr. Alvord but there is no price tag that can be put on the quality of life. The City must do what is best for the City.

Mr. Serasis said that those who own small businesses that do hauling had approached him. He explained that these were family businesses where the residents live in the City. The business owners said that there were nice people that were in the company and that the small businesses would be undercut and the bids then raised for all the city residents.

Ms. Straniti said that this had been discussed on the Committee level and she had discussed this with Mr. Alvord. She said that it was important not to put smaller hauling firms out of business. She also mentioned that there was the possibility of having subcontractors work with the contractors.

Ms. Straniti said that she has concerns because there are residents on Crescent Street, and that the loss of 1.5 million would be a disservice to residents. She said that she takes exception to the negative comments about the City staff, because the issue had been discussed for over two years. The only item that she agreed with was the fact that there should have been a public hearing before the Common Council meeting. She said that the Committee might have to vote on the proposal so that the City would have a contract when the CRRA contract expires.

Ms. Lindstrom said that she had a concern about going to a landfill and that currently the garbage goes to a burn plant. Ms. Lindstrom said that she did not want to get locked into a pattern that would not work out. Mr. Alvord explained that City Carting has agreed that they would rather not haul the garbage out of state. City Carting has taken waste to Preston and there are five other burn plants in the State. Each plant needs a certain amount of tonnage per year to operate profitably. Ms. Lindstrom asked if it would be in the contract.

Ms. Lindstrom said that she wanted to clarify the situation regarding the Meadow Street issue. She said that regardless of whether the City uses Meadow Street, there is 250 tons of waste today. Ms. Lindstrom said that there would be garbage coming into that transfer station. She pointed out that the funding would have helped doing environmental studies and does not want them to be forgotten, so the issues would be addressed. She said that she had the same concerns about the residential areas around Crescent Street, also. Meadow Street would be the exact same usage, regarding to this.

Mr. Alvord then reviewed the City benefits of leasing Meadow Street. The nature of Crescent will change. He explained that the DEP had just issued a permit for a second transfer station next to the Scalfani property and that with the construction of 95/7, there would only be one entrance and exit from the transfer station. .

Rev. Bolden said that she had a few comments about the pictures of Meadow Street and that it was clear from the photographs that the situation there was out of control. She then mentioned that there was a sign on the road that reads "Deaf Child". Rev. Bolden said that she had spoken about this with Mr. Alvord and had spoken to residents. She said that it would be important to take the human considerations. The City still has a responsibility to deal with the smells and the problems in getting a street cleaned up. Rev. Bolden said that it was a State road, but it was important to take in consideration the people. The Meadow Street plan was the best for the City, but not the best plan for those who were residents.

Mr. Krummel then asked Atty. Maslan if the City would exercise flow control over the material that would go to Meadow Street. Atty. Maslan said that the City could exercise flow control, but the Supreme Court could easily reverse their decision and have already done so once. Atty. Maslan said that the type of flow control he was suggesting would be more difficult to enforce. Discussion of this then followed.

Mr. Hempstead asked Mr. Alvord about the fuel escalator. Mr. Alvord said that there was no fuel escalator in the contract. There is the potential for a savings pass through but the fuel costs may affect this.

Mr. Hempstead said that in order to enforce flow control would be very difficult and that he had already lived through this in the 80's when the original contract was signed. He also then said that by restricting where the garbage destination would be, such as only to a burn plant, such a restriction could be detrimental to the City in the long run.

Mr. Hempstead then said that there were directed forums for the public hearings. He wished to know who was the director for the Neighborhood Coalition for Open Government. Ms. Lauricella said that because of the suddenness of the contract, the 501(c)3 organizations had joined together but had not formed a formal association. She said that the various community leaders who cared about the contract had come together and formed an umbrella coalition and includes some Council Members who are acting as private citizens. She added that churches and other organizations had also joined together about this issue.

Mr. Hempstead said that if the City of Norwalk takes back the Crescent Street on January 1st, it will need a Phase 1 and Phase 2 environmental issue study. He then asked what would be done with Crescent Street.

Mr. Alvord said that the current situation at Crescent was that the City was requiring the tenant at Crescent Street to repair the building. He then gave a brief run down about the situation at Crescent Street and pointed out that the Meadow Street drains go into an oil and water separator and then into the sanitary sewers. At Crescent Street, the leachate drains into the River.

Mr. Hempstead then asked how long it would take to get an environmental study with a cost estimate on modifying Crescent Street. Mr. Alvord said that it would take four to six months to get an expanded permit from the DEP. Mr. Hempstead said that he believed that Phase 2 environmental study was underway. He then asked when the environmental study would be done. Mr. Alvord said that the Phase 1 on Meadow Street is done. Phase 2 is underway. Cornerstone has it in process, but Fust and O'Neill are the ones doing the testing. The Phase 2 report will be the results of the testing, not the remediation.

Mr. Hempstead then asked if Mr. LaJoie had a DEP permit. Mr. Alvord said that Mr. LaJoie has a permit from the DMV. He added that there has been side issues about traffic issues and drainage issues at LaJoie's. He then asked that the State be requested to address some of these issues.

Atty. Maslan said that the Law Department has been involved with the LaJoie organization regarding the Zoning in the area. He said that the Law Department could follow through. Atty. Maslan said that the photos that had been passed around by Ms. Farnsworth would be very helpful in moving the zoning case forward. Ms. Farnsworth then gave Atty. Maslan permission to use the photos for the Law Department's case.

Mr. Hempstead said he would like to see a matrix of the costs. Mr. Alvord said that he could prepare this.

Ms. Brown then asked what the timeline for an traffic study on Crescent Street. Mr. Alvord said that the traffic study was being done on Crescent Street. She then asked if there would be an public hearing on Crescent Street. Mr. Krummel said that he thought it would be best to have a hearing at a church located at Merwin and Academy.

Mr. Hilliard said that he believed that the Meadow Street project was dead. He said for the record that no one was for the project on Meadow Street. He said that people want to put additional garbage there when the residents don't want the facility there. Mr. Krummel said that the majority of the discussion has been on Crescent Street but that the transfer station that is already there would continue to operate on Meadow Street.

Mr. Bondi said that if the savings were realized that the funding could be used for various other programs.

Mr. Hempstead said that in the last Council meeting, he wished clarification on the motion to table. Atty. Maslan said that it was a straight tabling motion and the Committee could discuss the issue if it wished to.

Mr. Bondi then spoke about the issue and said that there were many quality of life issues for all those who live all over the City. He stated that he felt that it would better for the residents if the City controlled the Meadow Street facility. Mr. Bondi then reiterated some of the benefits of the Meadow Street transfer control.

Mr. Krummel then asked Mr. Alvord about the difference in terms of costs for the transfer stations. Mr. Alvord then distributed copies of document showing the various costs associated with the transfer stations. He then reviewed the numbers with the Committee. Mr. Hempstead asked for a straight comparison of the operation and maintenance prices for Crescent Streets. Discussion about the details then followed.

Mr. Krummel asked about the new transfer station on Crescent Street. Mr. Alvord said that Amex Carting had applied for a permit to construct a transfer station and the DEP had approved this. Mr. Bondi commented that there was a transfer station on Chestnut Street that is permitted for only C&D.

Mr. Krummel then asked if the term sheet would be used to construct the contract. Atty. Maslan then reviewed the process with the Committee.

Mr. Krummel then reviewed the resolution. Mr. Hempstead said that he had asked for additional information before sending it to the Council. Mr. Hempstead said that he was thinking of tabling this issue. Mr. Krummel said that he would intend to call a special meeting. Mr. Krummel said that he had proposed the Meadow Garden public hearing before hearing the Mayor's statement to the press about Meadow Street.

Mr. Hempstead said that he had believed that there was additional information had not been available.

Mr. Hempstead asked for an environmental and traffic report on Crescent Street. He added that the cost analysis would include the pass thru, and fuel costs increases.

Ms. Lindstrom pointed out that it needed to be clarified as to what information was needed. She said that the traffic street study on Meadow Street needed to be considered because Meadow Street was still under consideration.

Mr. Alvord then asked for clarification as to what information the Committee wanted. Discussion followed. Ms. Straniti agreed with Ms. Lindstrom's comments about both sites.

**\*\* MR. HEMPSTEAD MOVED TO TABLE TO THE AGENDA ITEM REGARDING THE AUTHORIZING THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AGREEMENT WITH CITY CARTING, INC. FOR THE OPERATING OF THE CRESCENT STREET TRANSFER STATION AND THE TRANSPORTATION AND DISPOSAL OF SOLID WASTE FOR A TERM OF FIVE YEARS COMMENCING ON JANUARY 1, 2009, AND FOR A CUM NOT TO EXCEED \$13,668,605 (BASED ON AN ESTIMATED 23,000 TONS PER YEAR) UNTIL A DATE DETERMINED BY THE CHAIRMAN WHEN THERE IS FURTHER INFORMATION AVAILABLE.**

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

Schedule a public hearing on the proposed solid waste plan (Meadow Street). Public hearing to be conducted at the Meadow Gardens Community Center at \_\_\_\_ p.m. on \_\_\_\_ July \_\_\_\_, 2008.

**\*\* MR. HEMPSTEAD MOVED THE ITEM.**

**\*\* MR. BONDI MOVED TO TABLE THE SCHEDULING OF A PUBLIC HEARING ON THE PROPOSED SOLID WASTE PLAN (MEADOW STREET). PUBLIC HEARING TO BE CONDUCTED AT THE MEADOW GARDENS COMMUNITY CENTER.**

**\*\* THE MOTION TO TABLE THE SCHEDULING OF A PUBLIC HEARING ON THE PROPOSED SOLID WASTE PLAN (MEADOW STREET). PUBLIC HEARING TO BE CONDUCTED AT THE MEADOW GARDENS COMMUNITY CENTER PASSED WITH FOUR IN FAVOR (KRUMMEL, HILLIARD, HEMPSTEAD AND BONDI), ONE AGAINST (STRANITI) AND ONE ABSTENTION (LINDSTROM).**

Authorize the Mayor, Richard A. Moccia, to execute an agreement with Milone and MacBroom, Inc. for the design of the culvert replacement on Rowayton Avenue at Woodchuck Lane for a sum not to exceed \$79,500.

Mr. Alvord indicated that it stated on the agenda that the proposal was not due until Friday, June 27th and that the figures had not been available before that time. He then distributed copies of the back up material with the figures to the committee members.

**\*\* MR. BONDI MOVED TO APPROVE THE AUTHORIZATION OF THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AGREEMENT WITH MILONE AND MACBROOM, INC. FOR THE DESIGN OF THE CULVERT REPLACEMENT ON ROWAYTON AVENUE AT WOODCHUCK LANE FOR A SUM NOT TO EXCEED \$79,500.**

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

**\*\* MR. BONDI MOVED TO SUSPEND THE RULES TO CONSIDER THE FOLLOWING ADDITIONAL ITEM:**

**AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ISSUE AN ORDER ON CONTRACT TO DEERING CONSTRUCTION, INC. ON PROJECT NUMBER 4R 2007-1 IN CONNECTION WITH PROVIDING A PAVED ACCESS ENTRY TO CRANBURY PARK FOR A SUM NOT TO EXCEED \$25,132.10.**

**\*\* THE MOTION TO SUSPEND THE RULES TO CONSIDER AN ADDITIONAL ITEM PASSED UNANIMOUSLY.**

**\*\* MR. BONDI MOVED TO AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ISSUE AN ORDER ON CONTRACT TO DEERING CONSTRUCTION, INC. ON PROJECT NUMBER 4R 2007-1 IN CONNECTION WITH PROVIDING A PAVED ACCESS ENTRY TO CRANBURY PARK FOR A SUM NOT TO EXCEED \$25,132.10.**

Mr. Alvord distributed copies of the back up material to the Committee members.

**\*\* THE MOTION TO AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ISSUE AN ORDER ON CONTRACT TO DEERING CONSTRUCTION, INC. ON PROJECT NUMBER 4R 2007-1 IN CONNECTION WITH PROVIDING A PAVED ACCESS ENTRY TO CRANBURY PARK FOR A SUM NOT TO EXCEED \$25,132.10 PASSED UNANIMOUSLY.**

**\*\* MR. KRUMMEL MOVED TO POSTPONE THE FOLLOWING AGENDA ITEMS TO THE NEXT MEETING:**

**#6 - PROJECT UPDATE**

**#7 - STORMWATER RELATED WORK**

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

**\*\* MR. BONDI MOVED TO SUSPEND THE RULES TO CONSIDER SENDING LETTERS REGARDING THE SITUATION ON MEADOW STREET TO THE**

APPROPRIATE AGENCIES.

\*\* THE MOTION TO SUSPEND THE RULES TO CONSIDER SENDING LETTERS REGARDING THE SITUATION ON MEADOW STREET TO THE APPROPRIATE AGENCIES PASSED UNANIMOUSLY.

Mr. Hempstead expressed concerns about the existing situation on Meadow Street, which he had mentioned earlier in the meeting.

\*\* MR. HEMPSTEAD MOVED TO SEND A LETTER TO THE APPROPRIATE STATE & FEDERAL AGENCIES AND ELECTED OFFICIALS REGARDING THE ILLEGAL PARKING, DRAINAGE, TRAFFIC LIGHT, TRAFFIC ENFORCEMENT, INSTALLATION OF A CROSSWALK, PROPER SIGNAGE, AND A REVIEW LAJOIE'S IN REGARDS TO THE EXISTING ISSUES ON MEADOW STREET.

\*\* THE MOTION PASSED UNANIMOUSLY.

Mr. Alvord said that there were issues of timing regarding City Carting. He said that City Carting needed a decision by the end of July regarding the baling, and other details. He then said that it was important to have all the transfer permits applied for in a timely manner. Mr. Krummel said that the second Council meeting was July 22nd. Discussion then followed about the details of this.

ADJOURNMENT

\*\* MR. BONDI MOVED TO ADJOURN.

\*\* THE MOTION PASSED UNANIMOUSLY.

The meeting adjourned at 10:03 p.m.

Respectfully submitted

Sharon L. Soltes