



Board of Aldermen
Shelton, Connecticut
STREET COMMITTEE – APRIL 5, 2005

Call to Order / Pledge of Allegiance

Alderman Ken Olin called the meeting to order at 7 p.m. All those present rose and pledged allegiance to the flag.

Roll Call - Street Committee

Alderman Kenneth Olin, Chairman - present
Alderman Stanley Kudej – present
Alderman Lynne Farrell - absent

Administration:

Bill Mooney – Highway & Bridges

There was a quorum of 2 present, 1 absent.

Approval of Minutes

Alderman Kudej MOVED to recommend to the full Board to waive the reading of and approve the minutes of the April 5, 2005 Street Committee meeting; SECONDED by Alderman Olin. A voice vote was taken and the MOTION PASSED 2-0.

NEW BUSINESS

2.1 91 Toas Street

Letter from Thomas LaTulipe:

Street Committee: Attached please find two letters submitted to the Street Committee on April 4, 2000 and May 2, 2000.

April 4, 2000 the letter concerned the problem we have with drainage from the street during rainstorms. May 2, 2000 a letter was submitted concerning the replacement of washed away soil. I was told if there were further problems to contact the Highway Department. I did contact the Highway Department and nothing further was done to correct the drainage problem. I also again appeared before the Street Committee and informed them of my complaint and requested they contact me at home so I could show them the problem. It was my understanding a curb would be placed to correct the problem and prevent the soil from being washed away. To this date nothing has been done since April 2000. There is a bus stop near my mailbox and as a result of the poor condition of the road, students pick up parts of the road and throw it around.

Please inform me if any further action concerning this matter will be taken.

Discussion:

Alderman Kudej stated that Mr. Latulipe is looking for a curb.

Mr. Mooney replies that this has been looked at and we don't recognize a problem there, the road is too narrow, if you want to redo the road then he can have a curb. At the present time the road is too narrow, we can't take any away for a curb and there's really not enough water flow there to merit a curb. It looks more like his pump situation where he's pumping water into the road. Maybe he should change his direction. We have looked at it and it is not a feasible thing to put a curb in.

Alderman Olin states that maybe we should just fire off a note and tell Tom LaTulipe that there isn't much that can be done to this road.

2.2 15 Dexter Drive

Alderman Olin states I know the individual had stopped and mentioned to me about icing on the road. I've been trying to reach the guy he might be in Cancun. We are just going to table this.

Alderman Olin moved to table this until the owner could be reached. Seconded by Alderman Kudej. A voice vote was taken and the motion passed 2-0.

2.3 Curb Cleanup and Replacement

Mr. Mooney replies that this is an ongoing project.

Alderman Kudej says that he had mentioned a couple of places and the Mayor said to make a list of all the curbs.

Mr. Mooney replies: Yes we make a list, we collect the broken curb, there is a lot of it this year because of the early snows there was no frost in the ground to hold the curbs so there has been a lot of breakage. One of the plants has just opened up so there will be asphalt available soon.

Alderman Olin states that we will start a list.

2.4 Excess Right of Way – Long Hill Ave.

Alderman Olin moved to table this item, Seconded by Alderman Kudej. A voice vote was taken and the motion passed 2-0.

3.0 Old Business

3.1 Riverview Avenue

Discussion: Has this been completed? If not, when is this scheduled?

Alderman Olin stated: I thought we had agreed to do something about this.

Mr. Mooney replied: I don't know about we, because somebody needs to come up with the money for the wall. Then we have to decide where the wall will be and there is a sidewalk up on the bank and some large trees that need to be cut. I see that one is cut. So really I can't do anything on it.

Alderman Olin stated: I thought the Mayor sat in on one of our meetings on this one and he said that we would widen it... the road.

Mr. Mooney replies: if somebody comes up with some money for what has got to be done. You can't just cut into the bank. You'll have a heck of a mess.

Alderman Kudej stated that at one of the meetings he was at that was stated that a retaining wall was required.

Should this be moved to the Finance committee?

Mr. Mooney states that there needs to be more of a plan because they let the new house go in up there, there's a portion of an old sidewalk up on the bank, and there is these two large trees. One of them is down but one is still there. That needs to be addressed. Then there's got to be a wall, what kind of a wall do you want? I am not in the position to put up a wall like we did on Coram Ave. I don't have the people.

Alderman Olin stated that a memo be sent to the Mayor to request a meeting to discuss this.

Alderman Olin MOVED to TABLE; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 2-0.

3.2 Winibig Trail

Drainage issue

Alderman Kudej states this is the one where we wanted some kind of drainage storm sewer put up on top to get the water and pipe it down to the next drainage down there.

Mr. Mooney replies that there isn't any drainage down below. You're going to have to go a heck of a long way down below to get it down there. You've got one line coming down, a sanitary line coming down. I don't see the problem. If you look at Winibig up on top it's fairly flat.

Alderman Kudej states that the water comes off Winibig and comes down and is washing the guys foundation away. And the erosion is..

Mr. Mooney asks for the address. Get me an address.

Alderman Kudej states that he and Alderman Olin went to look at it. We'll call you with the address. I thought you were going to go review this?

Alderman Olin replies that they did and that they spoke to the Mayor and explained the problem to him and then the city engineer was supposed to go review the situation.

Alderman Olin asked the clerk to write a memo to Bob Kulacz and ask if he ever went down there to evaluate the situation.

Alderman Olin stated that if it keeps washing away...he just put a new addition on his house he's thinking..

Alderman Kudej responds that his name is Al Pierra.

The clerk is to send an email to Mr. Mooney with the correct address and name.

We moved to forward this to Bob Kulacz and nothing has been done.

3.3 Judson Street Intersection Improvements / Buddington Road

Alderman Olin asks if we have gotten anything back from the Chief of Police yet with regard to this intersection?

The clerk replies nothing was received yet.

Mr. Mooney replies that the road was repaved. There was a water line put in there by Brennan and they repaved it. We looked at that, it's a little diamond shape so that one road goes to the right and the rest of the road comes out straight to Buddington Road. It's not problem. It's a very small intersection. If you were going to be concerned about an intersection with a Y go down and look at Buddington Road and Huntington Street. This particular one is not a problem. There is a gas connection in the center of where that little island is and it would require changing that gas main. I really honestly don't think that it merits anymore attention.

Alderman Olin reads a memo from the City Engineer:

I do not recommend the removal of the intersection island unless the Police Dept has a major concern or the intersection configuration contributes to higher than normal accident rate.

Mr. Mooney states that apparently the Police Dept doesn't consider this a problem.

Alderman Olin MOVED to close this item; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 2-0.

3.4 Roberts Street

Mr. Mooney states that the work is being done this week. We started yesterday.

Alderman Kudej asks if the problem on Roberts Street could have been created by the builder building houses up there?

Mr. Mooney replies that it was complicated by that, but it was more complicated by the engineer who decided that drainage wasn't necessary while they were under construction.

Alderman Kudej asked if it was our Engineer? So it would be our responsibility?

Mr. Mooney replies; yes, but that engineer is no longer employed here.

We're taking care of it.
Alderman Olin states that this is presently being worked.

3.5 Performance Surety Release – Welkin Inc.

Discussion: Release request is 2 years old

Alderman Olin stated his personnel feeling is..

Mr. Mooney replies he has nothing to do with this.

Alderman Olin continues; I went up there with Royal Wells and he did this development, he paved the road, he did the curb and now the people that bought the house decided to put a pool in. So the guy that came in for the pool dug up the curbs and now our Engineer, Bob Kulacz, doesn't want to release his bond. He says Welkin needs to fix the curbs. I don't think he should be held responsible for that. I really don't. I want to talk to the Mayor on that because this is a running battle. I don't think we should be holding up this bond for no reason at all.

Mr. Mooney states that someone needs to after the guy that did it.

Alderman Olin replies: That's right.

Alderman Kudej replies that the homeowner should know who the person was...

Alderman Olin states that the homeowner should be held responsible, that's his property...

Mr. Mooney asks: Who pulled the permit...I hope.

Alderman Olin states the he would like to talk to the Mayor about this again. The last time I talked about this he said it was going to be released. But it still isn't done.

3.6 Emerald Ridge – Maintenance Surety Release

Alderman Olin MOVED to TABLE; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 2-0.

3.7 School Street Ponding

Mr. Mooney stated that this has been taken care of.
Alderman Olin says we can close this one out.

3.8 Proposed Extension of Tuxedo Ave.

Alderman Kudej Moved to recommend to the Full Board to accept the proposed extension of Tuxedo Ave. with the following terms and conditions:

- THE APPLICANT SHALL OBTAIN ANY AND ALL PERMITS REQUIRED BY THE INLANDS WETLANDS COMMISSION
- THE APPROVAL OF THIS ROADWAY EXTENSION SHALL INCLUDE GRANTING THE RIGHT TO GRADE AND FILL THE SMALL PORTION OF THE CITY PARCEL (ASSESSORS LOT 31) AS SHOWN ON THE DRAWINGS.
- THE LOTS SHALL BE SERVED BY PUBLIC SANITARY SEWERS.
- THE APPROVAL OF THIS APPLICATION IS FOR THE ROAD CONSTRUCTION ONLY AND DOES NOT INCLUDE THE APPROVAL OF ANY DEVELOPMENT PLANS FOR THE FOUR AFFECTED LOTS. AN ENGINEERED SITE PLAN SHALL BE REQUIRED FOR EACH LOT TO BE BUILT UPON.
- THE APPLICANT/DEVELOPER SHALL POST PERFORMANCE SURETY IN THE AMOUNT OF \$26,000 TO ENSURE COMPLETION OF THE 120 FOOT EXTENSION OF TUXEDO AVENUE.
- THE FAILURE TO OBTAIN INLAND WETLANDS APPROVAL SHALL MAKE THE APPROVAL TO CONSTRUCT THIS ROAD EXTENSION NULL AND VOID.
- LASTLY, REQUEST THAT BOTH PLANNING & ZONING COMMISSION AND THE BOARD OF ALDERMEN DECLARE THAT TUXEDO AVENUE CANNOT BE CONSTRUCTED/EXTENDED BEYOND THIS LAST APPROVED TERMINUS.

George Sender states that this is currently being taken care of.

Alderman Kudej asks isn't there going to be a lot swap there?

Mr. Sender replies that that is also in the works. Lot 29 & 30

The Clerk notes that it is scheduled for the next full board meeting. And will confirm with Mr. Sender.

3.9 Proposed Extension of Wells Ave.

Alderman Kudej moved to recommend to the Full Board to accept the site plan prepared for Gary Thompson dated December 1, 2004 and revised February 11, 2005 with the following terms and conditions:

- **THE APPLICANT SHALL OBTAIN SLOPE RIGHTS IN FAVOR OF THE CITY FROM THE OWNER(S) OF THE ABUTTING PROPERTIES IN A FORMAT AND LANGUAGE ACCEPTABLE TO THE CITY, AND RECORD THE DEED IN THE LAND RECORDS.**
- **THE APPLICANT SHALL OBTAIN ANY AND ALL PERMITS FROM THE INLAND WETLANDS COMMISSION.**
- **THE BUILDING LOT SHALL BE SERVED BY PUBLIC WATER AND PUBLIC SANITARY SEWER.**
- **THE APPLICANT SHALL FILE A SURVEY MAP SHOWING THE LAND TRANSFER BETWEEN LOTS 188/189 AND LOTS 185/186/187.**
- **THE APPLICANT SHALL POST PERFORMANCE SURETY IN THE AMOUNT OF \$18,000 IN ORDER TO ENSURE THE COMPLETION OF THE 60 FOOT EXTENSION OF WELLS AVE.**
- **THE FAILURE TO OBTAIN/RECORD THE SLOPE RIGHTS OR OBTAIN INLAND WETLANDS APPROVAL SHALL MAKE AN APPROVAL TO CONSTRUCT THIS ROAD NULL AND VOID.**

Seconded by Alderman Olin; A voice vote was taken and the motion passed 2-0.

Alderman Olin states this concludes the old business and asks Mr. Mooney if he has anything to report.

Alderman Kudej states that he received the note regarding stones in people's yards. Mr. Mooney will check out the situation. The residents should be advised to rake them out of the yards.

Alderman states that after Plaskon Drive was repaved the manhole covers have sunk quite low. See if we can get some...

Mr. Mooney replies wait a couple of weeks and they will level off.

Alderman Kudej responded that they aren't going to level off...I swerve down the road to avoid them. They start at Coram and go all the way up.

Mr. Mooney replied that he would take a look at it.

Alderman Kudej states that Tom Latulipe has arrived and invites him to come up to discuss his concerns about a curb. He advises him that it was discussed and that it was reported that the problem is his.

Tom Latulipe came to the front and stated this has nothing to do with it , but a snow plow came through and knocked over my mailbox. I called the city yard and they said they would replace it but it hasn't been done yet.

I want to show you the aggravation I'm going through with my neighbor with his drains pointed toward my driveway, coming down the driveway. This here is part of the property, here is where the water goes onto the lawn, and here is the condition of the front and today the fellow...

Alderman Kudej asks can we get the owner to change these?

Tom replies I can take care of that problem. But, they rent the houses out it's a duplex and of course they don't want to spend any money to keep the place up and of course they get flooded out in there cellar.

Alderman Olin asks; is that the house on the corner?

Tom replies no, it's a duplex with a duplex right behind it. Today the fellow next door, the renter, parks in front of the house for a few minutes and when he goes to pull out he tears up the asphalt. I haven't got a picture of that. But if you go up there you can see it.

Alderman Kudej asks how wide the road needs to be to get curbs?

Mr. Mooney replies that it should be 30 feet. There is no part of Toas that is 30 feet. Probably the widest part is about 22 feet. If you put curbs on you take away another foot per side.

Tom replies that is all right with him. As you can see here there is definitely a problem.

Alderman states so you want it cut down?

Tom replies do you know what I have to do with a result of him doing this? I have to place sand bags against my doors. I had Valley Paving come up and put a dry well in there for me and that doesn't even handle it. I have to have 2 pumps there when I get heavy rains.

Alderman Olin states that there isn't much that they can do.

Mr. Mooney states that this is a civil matter. Alderman Olin replies I know. Alderman Kudej replies: I don't know what to tell you Tom.

Tom replies that originally the city came up and this has been going on for 5 years now. Originally they came up and put soil there and seeded it but it's all washed down. The way it's coming. I didn't get a picture of it, but it comes into my driveway.

Alderman Kudej asks if a curb can be placed on just one side?

Tom replies that one was placed across the street and one wasn't needed there.

Mr. Mooney replies no. That's why we don't put them on one side. Why that curb was placed there I don't know.

Tom replies that they always did. As a matter of fact one guy dropped his trailer and chipped the thing out and they went over there and repaired it.

Mr Mooney replies will all do respect...curbs are put in for a purpose only ... not to make properties look nice, not to make things uniform. They are put in for a purpose and its to control water flow. The road is too narrow and we're going to lose road, I can't do it.

Tom replies that he doesn't understand how you're going to lose road.

Mr Mooney explains that you lose a foot of road for each side whan you put curbing in.

Tom replies that he doesn't mind losing some of the road.

Mr Mooney replies yes, you don't mind but somebody else...

Tom asks but what am I going to do to stop the water?

Mr. Mooney replies that first you need to get your neighbor to control his own water.

Tom replies I'm not worried about his. I'm worried about the front of my property as I said when I started here. I just wanted to show you how aggravated I am with the situation.

Mr. Mooney replies that he is not here for a discussion. It can't be done.

Tom replies so you're saying you won't do anything?

Mr. Mooney replies we can't. We've looked at it and we can't.

Tom asks what am I going to do with the water coming in there?

Mr. Mooney replies that he doesn't have any recommendation.

Tom replies thanks for your time and thanks for wasting my time.

Mr. Tom LaTulipe leaves.

Alderman Kudej asks Mr. Mooney about a situation on Jefferson Street last year to throw a couple yards of dirt there... can you do that?

Mr. Mooney replies yes.

Adjournment

At approximately 7:30 p.m., Alderman Olin MOVED to adjourn;
SECONDED by Alderman Kudej. A voice vote was taken and the
MOTION PASSED 2-0.

Respectfully submitted,

Brigitte Plucienik
Clerk, Board of Aldermen