

**BOARD OF ALDERMEN****STREET COMMITTEE MINUTES****Tuesday, October 8, 2008****Call to Order / Pledge of Allegiance**

Alderman Olin called the Street Committee meeting to order at 7:00 p.m.  
All those present rose and pledged allegiance to the flag.

**ROLL CALL**

Alderman Ken Olin, Chairman – present  
Alderman Stan Kudej – present  
Alderman Lynne Farrell – absent

Also Present: William Mooney, Director of Highways & Bridges  
Alderman Finn  
Alderman Perillo

**PUBLIC PORTION****Lois Shelomis, 82 Birchbank Road**

66 Birch Bank Rd

I am here to discuss the property at 66 Birchbank Rd. There is a massive puddle that has been there for years and it's a mess. I did take pictures today and you can see that the water is not able to drain down the street. The problem is that there has been debris dirt and gravel.

Alderman Olin stated that this was on the agenda before.

Alderman Finn came up to the table and stated; the only time that this was on there was when the state was working on the roadway leading into Birchbank.

This is only the 2<sup>nd</sup> time since 1987 that this has been on the agenda. As Lois has explained and shown photographs, in front of 66 and the whole length of Birch Bank Road this is the only section of the road that is deteriorated. I drove over it myself with my own car, it's like a washboard. The only way to correct this is to go down there and look at the subsurface, replace some of the subsurface itself and then you will have to cut and patch that.

Ms. Shelomis continued; the debris that has built up here, as you can see along here, the water used to drain down when they 1<sup>st</sup> put the road in and extended the water line back in 1987, it was fine, the water drained very well and we didn't have a puddle. But since the debris has piled up along the side of the road there is nowhere for the water to go. So it just sits there and destroys the road.

Alderman Finn stated; I don't know who did it, but someone put one or two shovels of asphalt on the road and that isn't going to fix the problem.

Alderman Olin stated that he would get someone to review it.

Alderman Finn continued; supposedly the City Engineer was supposed to send this down to Highways & Bridges.

Ms. Shelomis stated; I was told that the whole thing was referred to the city...

Alderman Finn injected; up toward Indian rock.

Alderman Olin stated that he would call the City Engineer.

Ms. Shelomis stated; I stopped by to see the City Engineer but he was tied up. I was told by the Highways Dept that it had been referred to the City Engineer but the girl that I spoke to, Lori Gibson, said she couldn't find a file on it, unless it was on the engineers desk and that somebody would call me.

With all the letters and phone calls I have made no one has ever gotten back to me.

Alderman Finn stated that this has been a problem since January 2007.

### **Delores Ovesney, 43 Dimon Rd**

I have pot holes like you wouldn't believe and we have a major ice problem in the wintertime. The city comes up and fills the potholes when its been raining or full of water which does nothing. In the spring I couldn't get out of my driveway without going thru a pothole, and you couldn't miss them no how.

Alderman Finn came to the table and stated that you really just have hot patch holding hot patch together and that is holding the road together. I've seen the nice job you did on Mohawk Drive in Pine Rock Park. I would never know that there was a pothole on the street. It was beautiful.

This street has got to be one of the worst streets in Shelton.

Ms. Ovesney stated; the last time that there was any kind of tar put on it was like 32 years ago.

Alderman Finn stated; I went to the Mayors office in June when we had the dedication for the Shelton savings bank at the White Hill Shopping Plaza and the Mayor that day, informed me to go down to his office the next day because I asked him to go up there and to an overlay on that road. I have been to his office five times and I finally gave up. Now Mrs. Ovesney asked me to bring this to the street committee and I was happy to do so. Something has to be done with that street. There is no question about it, Dimon Rd is the worst street.

Mrs., Ovesney stated; you are wasting a lot of money coming up there and filling these holes and they last a week.

Alderman Olin stated; it is unfortunate that we will never get away from potholes.

Ms. Ovesney replied; it's ok potholes, small ones, right now my car, the whole front end is out of line, who is going to pay for it? You? No!

Alderman Finn stated; if East Village Road is closed, which it has been a couple of times for trees being down, Dimon Road is the only way to get up to White Hills. You have thousands of cars going across that road every time East Village or Beardsly Road is closed. You have to go through all these potholes and like I said we have patch-holding patch together.

Alderman Olin stated that he and Alderman Kudej would take a ride up to see it tomorrow.

Ms. Ovesney continued; in the winter time the ice gets about this thick with holes in it and then they come up and load it up with plain salt. Do you know what that is doing to your vehicle? It's going to eat away your car. It's a mess and a half.

Alderman Olin thanked Ms. Ovesney for coming and stated once again that he would go look at the situation.

**Alan Ovesney, 43 Dimon Rd.**

What needs to be done is an overlay over the whole area. Filling the potholes does absolutely nothing Bill.

Mr. Mooney replied it doesn't need an overlay, it needs drainage.

Mr. Ovesney replied; you need to do something at the moment for the potholes, because the potholes get in there and then in the winter you get ice and next thing you know you have a 2 foot hole. Then you call down there and it's 3 or 4 days before they come back. What blows my mind is that when I do a street opening permit, I have to be there within 24 hrs to fix the hole. It's the same game that's going on and on.

Mr. Mooney replied; I know what the problem is and I usually don't do this at the meeting, the problem is the ledge that's there, from Martinka to over by your house. That has to be drained.

Mr. Ovesney replied; I know that but the potholes right now, you could put an overlay on it and it would take care of the problem for a few years until you figure out what you're going to do with the water issue.

The last time it was overlaid was when Freddie Simelinger did it.

Mr. Mooney replied; that is not true. Your uncle was here, and I got hell from him when we did amor-coating on it about 15 years ago. At that time amor-coating included a butter coat, which is an overlay. It needs drainage and until we get drainage it's not going to hold it. It needs to go someplace. I don't see Johnny here and I'm afraid it has to go in his field.

Mr. Ovesney replied; it's not a constant water course either so there are other styles of drainage. If you are down in front of my mothers house I guarentee I can dig down and its sandy or dirt there. You can always set up 4x4 galleries. Right now the water isn't running, it's just here or there. Your not looking for something to take the heavy rains, it's going to fil up, but at least its got a place to go. You would have to blast a little bit there and as well as I know cause I do roads and jobs that I've done in the past, sometimes you blast and the water just follows the seam and disappears.

Mr, Mooney replied; sometimes it opens up...

Mr. Ovesney continued; something needs to be done. You can't leave it just pot holes.

Mr. Mooney replied; we are going to make it passable for winter.

Alderman Olin closed the Public portion at 7:15 pm.

A motion was made to add on item 2.5 Whitewood Dr. A voice vote was taken and the motion passed 2-0.

## **MINUTES FOR APPROVAL**

### **1. Regular Meeting – June 3, 2008**

Alderman Kudej moved to recommend to the Full Board to waive the reading and accept the minutes of the June 3, 2008 regular Street Committee Meeting; Seconded by Alderman Olin. A voice vote was taken and the motion passed 2-0.

### **2. New Business**

#### **2.1 Lane Street – Brush Overhanging in Road**

Mr. Mooney will review and report back to the Street Committee. No other action taken.

#### **2.2 Lawrence Iannucci vs City of Shelton**

##### **Attorney Stephen Bellis – Pellegrino Law Firm**

Attorney Bellis stated; Tom Welch has prepared a stipulation to settle the law suit.

Alderman Olin stated; I have that but I have also received a letter from the City Engineer as follows:

*To: Ken Olin, Chairman, Street Committee*

*From: Robert Kulacz, City Engineer*

*Re: Proposed Extension of Pawtucket Ave.; Lawrence Iannucci, et al vs City of Shelton*

*This office recommends that the above referenced application be accepted by the Street Committee and forwarded to the following departments:*

- To the Planning & Zoning Commission for the required 8-24 referral*
- To the Office of the City Engineer for review comments and performance surety recommendation*

*Please note that the Planning & Zoning Commission reported unfavorably on this proposal at their March 13, 2007 meeting and the Office of the City Engineer did not complete a detailed review report on the application.*

Alderman Kudej stated; Tom Welch handed this to me yesterday and it bothered me. It says that you were going to comply with all the stipulations. I went over it and to me it was very vague. I came back down to city hall today because I wanted to know what the stipulations were. What are you being forced to do because I don't know. Right now Planning & Zoning couldn't tell me and neither could the city Engineer. They said that they had to have a meeting to go over this. That is why they recommended the 8-24 referral to finalize this thing. We know we have to open up the road. We want to know how you're going to do it. Who is going to check it all out?

Attorney Bellis asked; do you want me to address that now?

Alderman Olin stated that the committee was going to recommend this to Planning & Zoning. They will ask how you will do this.

Attorney Bellis replied; these are pre-existing non conforming lots so once the road is in place , then the applicant will have to go thru for their own permits.

Alderman Perillo, 454 Coram Ave, 2<sup>nd</sup> Ward Alderman

I understand what the City Engineer has recommended to you in his memo. He has recommended acceptance and followed by referrals to the engineer and P&Z for an 8-24. Given the fact that there is significant lack of clarity to what is exactly proposed in what specifically designed to meet the original comments and concerns of the City Engineer. Though I understand your intention tonight with the acceptance, I might recommend to the Street Committee that they hold off on acceptance and wait to see what actually comes back from P&Z and the 8-24 and what comes back from the City Engineer after he has completed a more detailed evaluation of these changes. Quite frankly I know that Inland Wetlands has a previous approval for the road extension, at least I understand they do. But what has been outlined here is different than what was originally proposed, perhaps Inland Wetlands should chime in as well.

Alderman Olin stated; This is why we are going back for an 8-24, because I don't know what they are going to do.

Alderman Perrillo continued; I definitely support the 8-24 and I understand the reason for that, but at the same time I am not necessarily comfortable with acceptance prior to those coming back. Acceptance is acceptance and this is not acceptance subject to.

Attorney Bellis commented; Jason, the plans have all been submitted to the City Engineer. I have them, our engineer's here. There's nothing changed in these plans except that he wanted to make sure that we had slope rights available. We have the slope rights, I've given them to Tom Welch.

Alderman Perillo asked; when did that happen?

Attorney Bellis replied; there were maybe 2 lots that he wasn't aware of for the slope rights and I faxed them to him maybe 2 weeks ago. All that's happening here is that there is a case pending and there is a settlement of the case and as part of the settlement of the case the aldermen need to approve the settlement. All this board is doing is referring it to Planning & Zoning for an 8-24 referral and then it will go before the full board. That is all we are asking them to do.

Alderman Perillo replied; I don't want it to be misconstrued that the Street Committee is formally accepting anything on behalf of the city. That simply referrals are being made as appropriate.

Alderman Kudej stated; my point was that we would accept this pending the 8-24 from Planning & Zoning for referral to the full board. Not to say go ahead and dig. All we can do is refer to the full board and it can go to discussion there.

Alderman Perillo stated; I just wanted to make sure that was on the record.

Alderman Kudej stated; I came down here and spent a good part of the afternoon talking to Planning & Zoning and the Engineer. I understand where you've been, but if I am going to give approval I want to understand if it's the right thing to do.

Attorney Bellis stated; I will be happy to explain it to the Planning & Zoning Commission and then I will be happy to explain it to the Board of Aldermen. You're approving the extension of the road.

Alderman Kudej moved without acceptance to forward this request to Planning & Zoning for an 8-24 referral and to the City Engineer for review. Seconded by Alderman Olin. A voice vote was taken and the motion passed 2-0.

### **2.3 Dimon Road**

Discussion was held during the public portion. No action taken.

### **2.4 Ponding of Rain Water in Front of 66 Birchbank Road**

Mr. Mooney reported that this had been forwarded to the City Engineer for review. No action taken.

### **2.5 Whitewood Dr.**

Alderman Olin read the following letter:

*To Whom It May Concern:*

*Per our telephone conversation, we have a tree at the end of our driveway, which is on town property and needs dead limbs removed. Due to its condition it presents a safety hazard to persons walking or driving under the tree. Over a year ago I contacted the town to have the limbs removed. Someone from the Tree Wardens office promptly came and determined that the tree was on town property and it was their responsibility. Since then I have contacted the tree warden four to six times to attend to this safety hazard and he has not responded to my calls.*

*The tree overhangs the road and the end of our driveway. It has a number of large dead limbs 6 to 8 inches in diameter about 40 to 50 feet above the ground. To reach our mailbox we walk under the tree and if a dead limb should fall it could result in a very serious personal injury. Damage could also occur if it fell on our car as we pulled in and out our driveway.*

*During the wind today, I had to pick up a number of dead limbs at the end of the driveway, one was over 1 inch in diameter and about three feet long. If that limb had struck a person it would have resulted in an injury.*

*The right side of Whitewood Drive, above our house as you come down the hill, is also in bad need of repair.*

*Sincerely yours,  
Knute Hansen*

Alderman Olin and Alderman Kudej will go to review the area of discussion.

### **3. OLD BUSINESS**

#### **3.1 Curbing at 12 Williams Street**

Mr. Mooney reported that there was no necessity for curbing. No action was taken.

#### **3.2 Kneen Street Repaving**

Mr. Mooney reported that this was completed.  
No action taken.

#### **3.3 Tuxedo/Harvard Ave. Repaving Request**

Mr. Mooney reported that Harvard Ave is done and that Tuxedo would be taken care of soon. No action taken.

**3.4 Hillside Ave. Repaving Request**

Mr. Mooney reported that he would review the street again but at this time it was not on the list. No action taken.

**3.5 Sightline Audubon & Coram Lane**

Mr. Mooney reported that the sightline had been cleared. No further action required.

**3.6 North Oak Ave. – Parking Issues**

There was discussion of alternate parking designs – angled parking.

**3.7 Widening & Installation of Turn-around on Woonsocket Road**

No action taken.

**3.8 Curb Replacement at 26 Rolling Ridge**

No action taken

**Adjournment**

Alderman Kudej moved to adjourn the meeting at 7:45 pm; seconded by Alderman Olin. A voice vote was taken and the motion passed 2-0.

Respectively submitted,

*Brigitte Plucienik*

Brigitte Plucienik  
Clerk, Board of Aldermen

Date Submitted: \_\_\_\_\_

Date Approved: \_\_\_\_\_ BY: \_\_\_\_\_

Mayor Mark A. Laretti  
City of Shelton