

City of Shelton, Conservation Commission
Minutes for the Regular Meeting on Wednesday September 1, 2010 at 7:00 P.M.
Minutes should be considered a draft version until approved by CC at their next meeting.

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Call to Order

Present: Tom Harbinson, Chairman
Bill Dyer, Vice-Chairman
Jim Tate, Commissioner
Sheryl Dutkanicz, Commissioner
Joe Welsh, Commissioner
Jim Goodman, Commissioner

Also

Present: Teresa Gallagher, Conservation Agent
Marianne Chaya, Clerk

A. Call to Order/Pledge of Allegiance

Vice-Chairman Dyer called the meeting of the Conservation Commission to order at 7:00 p.m. All in attendance recited the Pledge of Allegiance.

B. Approval of Minutes

Vice-Chairman Dyer MOVED to approve the minutes from the August 11, 2010 Special meeting. SECONDED by Commissioner Tate. All were in favor, MOTION PASSED.

C. Public Portion

None

D. Shelton Lakes Recreation Path –upgrade to handicapped accessible standards-status

1. Section 3 upgrade via DEP grant (LT meadow to Wesley Drive). Status update of bidding process

Vice-Chairman Dyer reported that we received 4 bids. I have a summary of the bids for each Commissioner. The bidders were Pruzensky & Son/Fairview Farms, Blakeman Construction, Sound Construction and Kozak Builders. They all submitted the non-collusion affidavit and the four prices. Terry Gallagher, Trails Committee handed out his detailed analysis. He explained that he went through the different criteria that were listed in the proposal, such as experience, qualifications, equipment, the ability to do the work and other projects. Terry summarized his findings to the Commissioners. His conclusion was that Blakeman seemed to have the most complete application and seemed to think through the scope of work quite a bit for each of the phases.

Vice-Chairman Dyer stated that Brad Wells (Fairview Farms) was away on vacation and he and Bob Pruzensky did drop of some additional material at the Trails Committee meeting, providing a equipment list plus a list of projects they have done in the past. Our evaluation of the 4 bidders would still rank from the technical standpoint. Blakeman Construction is superior in terms of the technical proposal submitted. The other obvious issue is the cost.

Chairman Harbinson asked if the information Pruzensky & Sons just brought in show that they are qualified? Vice-Chairman Dyer answered yes, given from the work that they have done from golf cart path construction and the variety of their jobs plus the size of their equipment. Fairview Farms just won the bid for reconstructing the sidewalks around Huntington green.

The Commissioners spent some time discussing the variance in the bid prices. Chairman Harbinson asked what was the recommendation from the Trails Committee. Vice-Chairman Dyer said that they determined that the Blakeman proposal was technically superior.

Terry Gallagher talked about the working relationship we had with Sound Construction who did work for the City recently. They obviously had the right equipment but their price was at the higher end of the spectrum.

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Commissioner Welsh asked what if we took the lowest bidder and they couldn't finish the job? Chairman Harbinson said that we have a performance bond that is built into the bids.

Chairman Harbinson said that we appreciate the recommendation from the Trails Committee and the Conservation Commission in turn would make their recommendation to the Mayor and Board of Alderman, who would approve the funding.

Vice-Chairman Dyer stated that we do have a meeting tomorrow with the Mayor at 7:30 A.M. to discuss the bids.

Commissioner Tate commented that we have sufficient information from each of the bidders for a decision to be reached, although no one submitted design details. Is anyone familiar with the Pruzensky/Wells partnership in a construction project, and have anyone looked at it? Vice-Chairman Dyer said that Richard Skudlarek (Trails Committee) is knowledgeable of their work and had contacted them to request they submit their pricing for this project. He could be used as a reference. Commissioner Goodman said that he doesn't know Pruzensky personally but he works with someone I know very well (Gary Nash/Nash Construction), and Gary indicated that he would be involved, equipment wise. Pruzensky works for Gary Nash. My opinion is that Pruzensky is a legitimate company and I don't think there should be a concern that short cuts would be an issue. I do know that they are known for their quality work.

Commissioner Dutkanicz said that she knows Brad Wells does quality work and has a good reputation and the Wells family has a good reputation.

Commissioner Goodman said you could say that about the Blakeman's as well.

Commissioner Tate said that you couldn't rely on that for hiring them to a certain degree.

Commissioner Tate talked about if you don't pick the low bidder you have to explain why Blakeman Construction is worth more than twice the amount of money on these bids.

Terry Gallagher commented that personally a red flag went up in looking at the pricing for Pruzensky. Having prepared the engineering estimates for the DEP grant came up with for the first phase (3c) with a cost of \$99,950, of which the city's match would have been \$27,000. That included guessing in the mobilization of the clearing. Whoever the contractor is they have to hire a designer to come up with a plan, a profile and some details. The Pruzensky bid was less than half of the engineers estimate was.

Commissioner Tate talked about what is of value in the bid packages that should be considered as well as scheduling.

Terry Gallagher mentioned that they have given the bidders two items to schedule. Within 3 weeks of the notice of bid award they are supposed to provide us with design details to review and approve. Within 12 weeks after we approve the design they have to have the first phase completed.

Commissioner Tate stated that it seems to be very clear that the preferred bidder is Blakeman but the money issue and the award is not up to us. He talked about some of the pros and cons of the other bidders.

Vice-Chairman Dyer said that he would be meeting with the Mayor tomorrow, give him a summary, and this item should be on the September BOA agenda.

2. Section 2 millings project (Oak Valley Road north towards Shelton Ave/Nells Rock Road intersection). Progress update.

Vice-Chairman Dyer reported that nothing further has happened with the millings since last month. Most of the millings are still there. Commissioner Tate said there is about 800 yards are there and he used about 200 yards. I probably will be using about another 100 yards. The millings are very tough to work with since they have been sitting for so long. The City has a screener, which allows you to put them back into the raw form. Right now the screener is broken.

E. Trails Committee Report

Vice-Chairman Dyer and Terry Gallagher reported that the trails committee had some work parties last month plus a guided hike.

There is one item needing reimbursement in the amount of \$30.62.

Vice-Chairman Dyer said that he did approve Kenny's relocation and improvements to the John Dominick Trail as his Eagle Scout project.

F. Dog Park

Vice-Chairman Dyer reported that the dog park fence contractor has been selected. Orange Fence will do it.

We are working to get the red barn sandblasted and painted before too long.

The plan is to use some of the millings for the parking lot. We still are not happy with the plan that has been drawn up by Engineering.

Commissioner Tate asked if we are going to get the Rec Path built before the dog park goes in? Who goes first?

Vice-Chairman Dyer said that once the fence is installed you would have to put the parking in.

Commissioner Tate said that would be something he would ask at the meeting tomorrow.

G. Community Garden

The garden is working out great and the harvest is abundant.

Chairman Harbinson asked if there is going to be a season ending at some point? Agent Gallagher said no, people could continue to plant.

Chairman Harbinson commented that he and Agent Gallagher have had some dialog with John Anglace and Sharon Scanlon (Finance) via email regarding the

funding that Conservation provided on the deer fencing. At times there will be ancillary expenses and they are generating revenue through the sale of the plots. Rather than create a number of different accounts John Anglace thought it would be appropriate to have a revenue item that can be received into the General Fund and then have a line item on our Conservation budget of a like amount from which expenditures would go. Currently the Community Garden committee is an ad-hoc committee of the Board of Aldermen, so you would have the BOA approving expenditures from the Conservation budget. I suggested that perhaps the Community Garden should be under Conservation, similar to the Trails Committee. John Anglace will talk to the Mayor about that concept and see if that is the direction they want to take. This would be something to think about when there is a need to expand the community garden, perhaps to the Soundview Ave property or if at some time there might be expenses such as a shed.

H. Open Space Trust Account: Status

Agent Gallagher reported no change.

Chairman Harbinson reported that the BOA did approve the funding of the open space trust account in the amount of \$250,000.

Chairman Harbinson requested that Agent Gallagher get an update from Finance.

I. Budget Status

Agent Gallagher is monitoring our activity.

J. Open Space set-aside: Status of increase to 15% in subdivision regulations

We haven't heard anything from P&Z as to when they would like to meet to go over the subdivision regulations.

K. Review of PZC or IWC Applications for Subdivisions and/or Developments

1. Old Applications/Monitor/Follow-up

None

2. New Applications

None

L. Communications

- Agent Gallagher emailed all the Commissioners regarding getting the police involved on an ATV issue. The police acted upon it and issued a citation.

M. Quality of Life - Executive Session

None

N. Comments By Members

Agent Gallagher prepared a draft management plan for Birchbank Mountain Open Space. She requested everyone to review it and approve it next month. This is the property where the focus of all the ATV activity has been emanating from. This documentation is why I think this is the most ecologically significant property we have. This is really different from most of the open space we have. The spring wildflower display that is in Birchbank, I have seen nowhere else in Connecticut. Because there is the sandy soil gives us different types of plants plus the slope faces east. The afternoon its all in shadow. There is a completely different ecosystem and assemblance of plants than you have any other place in Shelton. Plus you have the history of the old colonial road. The colonists used that road and farmers to get their crops down to the shipyard.

The ATV's have been doing permanent damage out there. They are driving over the spring wildflowers plus they have been driving up and down the slope, causing the sandy soil to erode and wash down the hill. It's just a mess.

The following is the draft I came up with for your review and approval:

Birchbank Mountain Open Space - OS 94 Management Plan Overview

September 1, 2010

The Birchbank Mountain Open Space is arguably the most environmentally sensitive open space property owned by the City of Shelton:

- The display of early spring wildflowers, including Dutchman's Breeches, Red Trillium, and Blue Cohosh is striking and unmatched elsewhere in the City;
- There are extensive steep slopes and the soil is unusually sandy and prone to erosion;
- The sandy soil type, east-facing slope (cool in the afternoon), and water seeps combine to create an unusual ecosystem, allow plants to grow that are not typically found in Shelton;
- Old colonial roads cross the property, including a road that climbs the river bank south of Upper White Hills Brook via a notch that was used by White

Hills farmers to bring their products to the docks on the Housatonic, which was tidal at that time;

- Many quartz chips from the manufacturing of stone tools by Native Americans have been found.

This open space faces three major threats:

- Damage from ATVs, which trample wildflowers, cause erosion on the slopes, and damage the historic roadbeds;
- Displacement by invasive species. The greatest impact emanates from the hiker parking area on Birchbank Road. Japanese Knotweed and Garlic Mustard have formed vast stands, while Japanese Barberry and a few other invasive can also be found.
- Deer over browsing: The rising deer population is likely to strip the open space of most vegetation, leading to a loss of diversity, loss of the spring wildflower display, and increasing erosion. Deer also spread invasive species.

Management Plan Overview:

- ATVs – work to eliminate ATVs with publicity, signage, blocking access points, work with neighbors and abutting property owners, and Police enforcement. Encourage Scout projects to repair eroded areas.
- Invasive Species – Delineate an interior area where invasives are just beginning to emerge and focus efforts there for maximum effect. Look for volunteer groups such as Scouts to assist. Use removal methods that minimize herbicide spraying and maximize permanent removal.
- Deer – Create deer ex-closures using surplus deer fencing to help identify the effects of deer browse. Hunting is currently prohibited. If deer control is implemented in Shelton at some future date, prioritize control efforts on this property.

Tape 1, Side B

The Commissioners talked about the deer problem and noted that there was an article in the newspaper regarding the cost of dealing with the deer, especially in the medical insurance end of it.

Commissioner Tate asked about the Riverwalk plan. Chairman Harbinson commented that Jim Ryan (SEDC) was hoping to attend tonight's meeting but could not make it. He will be at our next meeting. Our comment letter was sent out. A copy will be emailed to the Commissioners.

O. Adjournment

The next regular meeting is Wednesday, October 6, 2010.

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Vice Chairman Dyer MOVED to adjourn. SECONDED by Commissioner Tate. All were in favor; MEETING ADJOURNED at 8:05 P.M.

Respectfully submitted,
Marianne Chaya
Clerk, Conservation Commission