TOWN OF CROMWELL TOWN COUNCIL MEETING REGULAR MEETING SEPTEMBER 12, 2018 7:00 P.M. TOWN HALL COUNCIL CHAMBERS

RECEIVED FOR RECORD Sep 06,2018 03:05F JOAN AHLQUIST TOWN CLERK CROMWELL, CT

AGENDA

- A. CALL TO ORDER
- **B. PLEDGE OF ALLEGIANCE**
- C. APPROVAL OF AGENDA
- D. COMMISSION CHAIRMAN REPORTS/LIASON REPORT/STAFF REPORTS
- E. CITIZEN COMMENTS
- F. MAYOR'S UPDATE
- G. TOWN MANAGER'S UPDATE
- H. CHIEF OF POLICE'S UPDATE
- 1. PUBLIC WORKS DIRECTOR'S UPDATE
- J. FINANCE DIRECTOR'S UPDATE
 - Budget reports
- K. FINANCIAL
 - 1. Tax Refunds
- L. NEW BUSINESS
 - 1. Discussion and possible action Tax deferral program-appeal.
 - 2. Union Grievance -Police Union, NIPSEU
 - a. Officer Young
 - 3. Discussion and possible action regarding Town Engineers report on South Street Drainage east of Main Street.

M. APPROVAL OF MINUTES

1. Special Meeting August 6, 2018.

N. APPOINTMENTS

- 1. Planning and Zoning
 - a. Mo Islam, Alternate, Term expires December 2019
- 2. Economic Development Commission

- a. Mo Islam, Alternate, Term expires March 2020
- 3. Committee to Support People with Disabilities
 - a. Joe Morin
 - b. Jeremy Zeedyk

N. COUNCIL LIAISON REPORTS

O. EXECUTIVE SESSION

- 1. Strategy and discussion, Real Estate acquisition.
 - a. Action if necessary
- P. ADJOURN

Rules for Citizen Comments

- 1. Each speaker will have a total of 3 minutes to speak on the issues of their choice;
- 2. The Mayor shall recognize only one speaker at a time;
- 3. The purpose of the Citizen Comment period is to give the residents of Cromwell, or others, the opportunity to make comments regarding matters of public concern, town policies or actions of the town, and to ask questions of the Council of Town Staff. All questions and comments will be taken under advisement and questions raised may be answered this evening or addressed at a later date. There will be no open debate with the Council members during the public comment period and all questions and comments shall be directed to the Mayor;
- 4. The Mayor shall have the right to discontinue recognition of any speaker whom the Mayor believes is not using proper decorum for a public meeting; is verbally abusive of a member, or members of the Council, Town staff, or the public; becomes beligerent; or uses profanity.



YEAR-TO-DATE BUDGET REPORT

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TOWN OF CROMWELL, CT



YEAR-TO-DATE BUDGET REPORT

FOR 2019 02	KANEDAGAKAN DINEMERING							
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YEAR-TO-DATE BUDGET REPORT

FOR 2019 02					
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Engineering Department Town of Cromwell Cromwell, CT

Memorandum

To: Athony Salvatore –Town Manager

cc: Lou Spina - Director of Public Works

From: Jon Harriman

Date: 7/12/2018

Re: South Street Drainage east of Main Street

This morning Mike Shewokis and I investigated Councilman Johnson's drainage concern, proposed corrective measures and a request for a walking trail through the wetland area from South Street to Frisbee Park.

There is no pipe extending through the wetlands to Frisbee Park. There are two drainage outfall pipes that discharge to the wetlands approximately 5 to 10 feet behind the gutter of South Street. These two outfall discharges are in need of maintenance, as are the two catch basins on the north side of South Street. We will have our staff assess this work and have it remedied in the near future.

The elevation of South Street in this area is 15-feet and is entirely in the flood plain. I would expect this area to experience flood conditions from time to time. I would anticipate that cleaning the existing Town owned drainage system might improve things, but it will not prevent occasional flooding in this area.

In regards to a walking path, the distance from South Street to the northern "dry" portion of Frisbee Park is approximately 1,700 feet (in a straight line). Councilman Johnson suggested a ten-foot wide path, so the filling of wetland soils would be approximately 17,000 square feet. Any such activity exceeding 5,000 square feet requires permitting from both the CTDEEP and the Army Corps of Engineers. I assume that such a path would need to be elevated so as to be dry most of time. Assuming it was elevated four feet with two-to-one grading back to grade the footprint of filling activity increases to 44,200 square feet of filling of the inland wetlands.

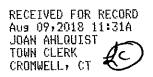
From a wetlands protection standpoint this proposal appears to be a non-starter. I don't think our Inland Wetlands Commission would approve bisecting these wetlands with this elevated trail running north-south across its entire length. If the trail isn't elevated it's going to be wet most of the year. It is likely that bisecting the wetland would have a negative impact to the wetlands to the east of the filled trail.

The amount of fill for such a trail is nearly 4,500 cubic yards of material – about 225 tri-axle trips. Our flood-hazard regulations require equal compensation for flood-plain filling (for every 1 cubic yard of fill there needs to be 1 cubic yard of cut removal). I do not know where the Town would find 4,500 cubic yards to cut in the same hydraulic reach as the fill activity and on Town property. Frisbee Park comes to mind but that seems to defeat the purpose.

It is my opinion that this proposal would most likely not be approved by the inland wetlands commission, P&Z (Flood hazard application), DEEP and Army Corps. While I fail to see how this trail would generate economic development I think there is a need for pedestrian access from South Street to Frisbee Park. My recommendation would be to consider a boardwalk through that area. A boardwalk might be considered by permitting agencies to have a more acceptable wetland impact. A boardwalk would have a negligible effect on the flood-plain and would not require a permit.

I would also like to point out that either trail proposal would be wet from time to time. The low point through the wetlands is at elevation 8, so unless the trail was up significantly higher than that (6-8 feet higher minimum) it will get wet and unpassable from time to time each year. Additionally I would anticipate a lengthy approval process with the CTDEEP and Army Corps that would likely include the study of species and habitat in the area for both options. Another point for consideration is that wetland areas usually harbor mosquitos, so a trail right through wetlands would probably have many throughout the year.

Given the length of a trail, 1,700 feet, either option is going to be expensive to permit and construct (\$200,000-\$300,000 best guess). If the council wishes to look into this further I could develop a concept plan and price estimates. With a concept plan and budget the Town would be better situated to apply for a funding grant in the event one becomes available.



TOWN OF CROMWELL TOWN COUNCIL MEETING SPECIAL MEETING AUGUST 6, 2018 6:00 P.M. TOWN HALL COUNCIL CHAMBERS

MINUTES

Present: Mayor E. Faienza, Deputy Mayor R. Newton, F. Emanuele, S. Slade (arrived at 6:09 p.m.), J. Demetriades, A. Waters, M. Johnson Absent:

Also Present, Town Manager A. Salvatore, Director of Finance M. Sylvester, Human Resources Coordinator B. Price, Labor Attorney K. Weinstock, Chief D. Lamontagne

A. CALL TO ORDER

Mayor Faienza called the Special Meeting to order at 6:08 p.m.

B. EXECUTIVE SESSION

- 1. Strategy and Negotiations
 - a. Union Contract Town Hall Union UPSEU Local 424 Unit 33
 - b. Action if necessary
- 2. Strategy and discussion, Real Estate acquisition, as recommended by Redevelopment Agency.
 - a. Action if necessary
- 3. Strategy and discussion, Sale of Town Properties.
 - a. Action if necessary

Motion made by R. Newton seconded by A. Waters and *unanimously carried* to adjourn to Executive Session at 6:08 p.m., for items 1. Strategy and Negotiations, Union Contract -Town Hall Union UPSEU Local 424 -Unit 33.

2. Strategy and discussion, Real Estate acquisition. 3. Strategy and discussion, Sale of Town Properties.

Town Manager Salvatore, Director of Finance M. Sylvester, Human Resources Coordinator B. Price and Attorney K. Weinstock were invited into Executive Session for item 1. (S. Slade arrived and joined the Executive Session)

Town Manager Salvatore was invited into Executive Session for items 2 and 3.

Motion made by R. Newton seconded by A. Waters and *unanimously carried* to come out of Executive Session at 7:27 p.m.

Action item #1
Union Contract - Town Hall Union UPSEU Local 424 -Unit 33

Motion made by R. Newton seconded by A. Waters and *carried* to ratify the pending contract with the UPSEU Local 424 -Unit 33.

Aye: A. Waters, S. Slade, E. Faienza, R. Newton, F. Emanuele, J. Demetriades Nay: M Johnson Motion carried

Action item #2.

Real Estate acquisition

Motion made by R. Newton seconded by S. Slade and *unanimously carried* to authorize Town Manager to negotiate for purchase of property we are currently leasing from Mr. Zgorski at 1 Community Field Road.

Action item #3. No action taken

C. MAYOR'S REPORT

Mayor Faienza reported:

- Sent letter to Fire District (copy in packet) requesting a meeting to discuss combining efforts for a cost savings to the residents.
 - J. Demetriades suggested that the Fire District Budget be presented at the same time as the Town Budget. F. Emanuele would like the Fire District Meetings streamed as we do for the Town Council Meetings. A short discussion followed, the Council would like see the Fire District's activities more transparent.
- The Pension Committee is meeting at the end of the month.
- The Chamber Division is meeting tomorrow.
- Mayor Faienza distributed a letter that was sent to M. Johnson. The letter signed by the Council Members was made part of the record and is attached to the minutes. The purpose of the letter was in the hopes of finding common ground and the Council being able to work together.
 - M. Johnson took exception to the letter and requested a public hearing to refute these accusations that stating in his opinion; most of these accusations are not true.

A lengthy discussion followed where each member of the Council was given the opportunity to speak.

D. TOWN MANAGER'S REPORT

Town Manager Salvatore reported:

- Health Director Wes Bell announced that he intends to retire at the end of the year. Several options are being considered to replace the position.
- Youth Services Coordinator Eric Richardson submitted his resignation and will leave the end of this month. He was recalled by the State. His resignation was accepted with great regret.

- The senior's approached him and would like to reinstate the Senior Store.
- They did a pre-bid walk through in the Library.
- The Tax Office has been very busy and they are doing a great job.
- He had a resident inquire about the Fire District charging private developments for flushing the hydrants out yearly. He was reminded that the Board of Selectmen passed an ordinance giving the district the authority to charge. It may take an ordinance change to include the amount of the fee.
- There will be an additional concert at Frisbee Park on August 29th.
- Frisbee Park was leveled and will be reseeded.
- Economically we have a lot of things going on; the P&Z agenda includes:
 - Another Hotel is being proposed next to Liberty Bank on 372
 - o Covenant Village to greatly expand
 - o Coffee Shop next to Baci that everyone will enjoy
 - o Another Hotel next to Quality Inn
 - o A medical marijuana clinic at the Xfinity building
 - o applications are in for an additional 60 apartments at the Nike site
 - Arco/Scannell is going full ahead with their project; we are told we will be extremely pleased with the tenant
 - Frontier messed us up with the Willowbrook project; they are hopeful that soon they will have completed work that was scheduled a year ago.
 - North Road Culvert project is on schedule

E. NEW BUSINESS

1. Discussion and action to approve use of parking lot leased by the Cromwell Outboard Association for concert on August 29, 2018.

A. Waters felt that the COA should be asked to approve use by the town instead of being informed that the town is going to use the property.

Motion made by R. Newton seconded by S. Slade and *carried* to approve use of parking lot leased by the Cromwell Outboard Association for concert on August 29, 2018.

Aye: M. Johnson, S. Slade, E. Faienza, R. Newton, F. Emanuele, J. Demetriades Nay: A. Waters Motion carried

2. Discussion and action to approve Resolution Supporting Participation in the Sustainable CT Municipal Certification Program.

Motion made by J. Demetriades seconded by S. Slade and *unanimously carried* to approve Resolution Supporting Participation in the Sustainable CT Municipal Certification Program (attached to the minutes).

F. APPROVAL OF MINUTES

1. Regular Meeting July 11, 2018.

Motion made by R. Newton seconded by A. Waters and *carried* to approve the minutes of July 11, 2018 as corrected. M. Johnson stated he did not give his consent to move forward with moving the Public Works Facility Project to a design and build. (Town Engineer/Assistant Public Works Direct Report)

Aye: M. Johnson, A. Waters, E. Faienza, R. Newton, J. Demetriades Abstained: S. Slade, F. Emanuele (unable to attend this meeting)

Motion carried

G. ADJOURN

Motion made by S. Slade seconded by R. Newton and unanimously carried to adjourn the meeting at 8:40 p.m.

Respectfully submitted,

Re Matus

Secretary

Town of Cromwell

Resolution Supporting Participation In the Sustainable CT Municipal Certification Program

WHEREAS, Sustainable CT is a comprehensive, statewide, action-oriented voluntary certification program, built by and for municipalities, with the vision that: Sustainable CT communities strive to be thriving, resilient, collaborative, and forward-looking. They build community and local economy. They equitably promote the health and well-being of current and future residents. And they respect the finite capacity of the natural environment.

WHEREAS, Sustainable CT is designed to boost local economies, help municipal operations become more efficient, reduce operating costs, and provide grants and additional support to municipalities.

WHEREAS, the Town of Cromwell embraces an ongoing process of working toward greater sustainability, selecting which actions it chooses to pursue from the voluntary menu of actions provided by Sustainable CT.

RESOLVED, by the Town Council of the Town of Cromwell that we do hereby authorize Town Manager to serve as the Town of Cromwell's Sustainable CT contact person for the Sustainable CT Municipal Certification process and authorize him to complete Municipal Registration on behalf of the Town of Cromwell.

RESOLVED, that to focus attention and effort within the Town of Cromwell on matters of sustainability, and in order to promote Town Council's local initiatives and actions toward Sustainable CT Municipal Certification, Town Council establishes an advisory Sustainability Team (the Town Council shall designate the Conservation Commission to serve as a Sustainability Team).

RESOLVED, that the first meeting of the Sustainability Team must be held within 90 days of passing this resolution and that the Sustainability Team shall meet as frequently as needed, but no less than quarterly.

RESOLVED, that the Sustainability Team shall report annually to the Town Council on the progress of its activities toward Sustainable CT certification, with reports and presentations made publicly available.



Town of Cromwell

Town Council
Nathaniel White Building
41 West Street
Cromwell, CT 06416

July 27, 2018

Myron Johnson 16 Pleasant Street Cromwell, CT 06416 Certified Mail: 7015 3010 0001 8278 3066

& Mailed USPS General Delivery 7/27/18

Dear Councilor Johnson:

We write to address an untenable situation that has arisen regarding your conduct as a Council member for the Town of Cromwell. In particular, we are in receipt of complaints that you have interfered with the work of Town staff and we have personally witnessed your disruption during public meetings. This letter is intended as a final attempt to garner your cooperation before more drastic measures to obtain your compliance become necessary.

As noted above, we have been informed that you have maligned, improperly challenged or otherwise harassed Town staff in the exercise of their duties for the Town. Indeed, the complaints we have received indicate that you have violated section 2.05(b) of the Town Charter in that you have directly interfered with staff in disparaging them publically and/or in going to department supervisors and challenging their and their staff's conduct as Town employees. It is inappropriate for you to directly engage in discussions with department supervisors and staff in any matter relating to their employment, including the conduct of their duties with the Town. The relevant section of the Charter provides:

Interference with Administration. Except for the purpose of inquiries and investigations under Section 2.08, the Council and its members shall deal with the Town officers and employees who are subject to the direction and supervision of the Town Manager solely through the Town Manager, and neither the Council nor its members shall give orders to any such officer or employee, either publicly or privately.

Accordingly, we request that you comply with the Town's Charter and direct all inquiries regarding Town staff through the Town Manager. We also request that you refrain from disparaging or otherwise challenging any Town employee's conduct, work ethic or job performance without proceeding through proper and legal channels. Persistence with your inappropriate behavior with respect to Town staff could subject the Town to liability for grievances, slander and libel.

In addition, your interference during Council meetings also has become very problematic. At times you have made inappropriate comments to Council Members and this is not acceptable. Please note that the Town of Cromwell Council and all of its boards and commissions conduct their public meetings in accordance with parliamentary procedure and Robert's Rules of Order, in particular. Accordingly, it is expected that every Council member will adhere to those rules and act in a proper and respectful manner towards Town staff and each other.

Chief among those parliamentary rules is awaiting your turn to speak until recognized by the Mayor and ceasing to speak when told it is time to move on. You must respect that the Council's time to conduct its necessary business is not limitless and administrative questions should be addressed, in the first instance, through the Town Manager rather than during Council meetings. Although the Council has been very lenient in allowing you excessive time to query staff during the public meetings, your use of that time to berate and criticize staff and other Council members is not productive or appropriate and will no longer be tolerated.

Most recently, your disruptive behavior during an executive session resulted in the Council being unable to address all of its agenda items. This is not acceptable. It is a disservice to the public when you prevent the Council from addressing Town business and inconsiderate of the time your behavior usurps from your fellow Council members and staff.

Accordingly, please be advised that the Council expects you to conduct yourself with decorum and in accordance with the Council's rules and the Town Charter. Your failure to do so will result in sanctions, including but not limited to, censure and possible ejectment from the meetings.

Sincerely,

Richard R. Newton, Deputy Mayor

Richard R, Newton, Deputy Mayor

Samantha C. Slade

Frank C. Emanuele, Jr.

Al Waters

Al Waters

Sincerely,

Richard R, Newton, Deputy Mayor

And Mayor

James Demetriades

c: Anthony Salvatore, Town Manager Re Matus, Senior Executive Assistant Kari L. Olson, Town Attorney

Cromwell Democratic Town Committee

J. Scott Lamberson 10 Centerwood Dr Cromwell, CT 06416 973.714.7230 (c) jslamberson@gmail.com

August 30, 2018

Mayor Enzo Faienza Town Hall 41 West St Cromwell, CT 06416

Dear Mayor Faienza,

I'm writing to submit names to fill some vacancies on some of our town boards and committees. I'd appreciate if this would be on the agenda for an upcoming council meeting. Happy to discuss more with the council if they need more information.

Committee to support People with Disabilities:

Joe Morin and Jeremy Zeedyk

Planning and Zoning Alternate:

Mo íslam

Economic Development Commissioner

Mo Islam

Best regards,

J. Scott Lamberson

FYI

NOTICE OF PUBLIC INFORMATION MEETING

CROMWELL CONNECTICUT – The Town of Cromwell will conduct a Public Information Meeting concerning the replacement of Bridge No. 05939, which carries North Road Extension over Coles Brook, in the Town of Cromwell, as part of the Federal Local Bridge Program. The meeting will be held on Wednesday, September 19, 2018 at 7:00 p.m., in. Town of Cromwell Town Hall, Room 224 41 West Street Cromwell, Connecticut.

Bridge No. 05939 North Road Extension over Coles Brook

The existing structure that was built in 1980 consists of a twin corrugated metal arch culvert with cast-in-place concrete headwalls and wingwalls. The culvert measures approximately 11 feet wide by 7 feet high with a barrel length of about 67 feet.

At this time, the project is nearing completion of the preliminary design phase. The Type Study and recommended scope have been approved, and the project will soon progress into the final design phase. The report's approved alternative will be a single span, precast arch or three sided rigid frame. The bridge will be supported with deep foundations. The bridge will measure 28 feet wide from curb to curb. A sidewalk will be added to provide for two 11'-0" travel lanes plus 3'-o" shoulders. The estimated overall width can be up to 37 feet.

Construction is anticipated to commence in the spring of 2020, assuming acceptance of the project, availability of funding, and receipt of any required environmental permits.

Maintenance and Protection of Traffic during construction of Bridge No. 05939 shall be accomplished by maintaining closure of traffic during the duration of construction. Traffic detours will be used during construction.

The Public Information Meeting is being held to afford a full opportunity for the public's participation and to allow open discussion of any views and comments the community may have prior to progressing the proposed project into the final design stage.

Plans will be available for public review. Town personnel will be available during the meeting to discuss this project. More detailed information is available at the Cromwell Town Hall, Department of Public Works. Anyone wishing to review the plans may contact Mr. Jon Harriman, P.E., Town Engineer at (860) 632-3465. Plans will also be available for review at the Cromwell Town Hall, Department of Public Works.

All persons interested in this project are welcome to attend this meeting and discuss the project with the Town personnel.