

The Route 156 Bike Way and Sound View Improvements Committee
Unapproved Minutes of September 15, 2015 4:30 PM Memorial Town Hall, Old Lyme, CT

Members Present Mary Jo Nosal, John McDonald, Jim Lampos, Rob Haramut and Frank Pappalardo (arrived at 4:45PM). Excused: Bonnie Reemsnyder, Skip Sibley and Angelo Faenza.
Present also: David Head of VHB and Kurt Prochorena of BSC Group.

Communication

The committee received the attached email dated August 14, 2015 from CTDOT to Mr. Maratta and Mr. Corto. In summary, CTDOT wrote that there was no conflict between the grant and the local bus ordinance and the business owners wrote in support of the project. This was reviewed again in committee when a quorum was reached.

Welcome A quorum of voting members was reached at 4:45 PM and the meeting was called to order.

Approval of Minutes

Motion by Frank and seconded by Jim, to approve the minutes of 8/3/15. No Discussion. The motion passed, all in favor.

There was a question following the motion as to when the 6/30/15 public meeting responses were submitted to VHB. David reported that the response was submitted to him on 8/4/15.

Update from VHB

PD Status:

- VHB anticipated that design approval by CTDOT would be given while the departments provided comments because the preliminary design reflects work on local roads. However, per David, CTDOT decided to wait. The comments are due 9/29/15. Kurt will respond in writing to department comments which will be part of final design.
- The CTDOT Electrical/Illumination response was discussed.
 - Kurt pointed out that the current scope of work provided only for the installation of conduits to accommodate future street lighting. It does not include a budget for photometric studies or new lighting fixtures. Committee members voiced support for updated, uniform lighting and for completing the final design.
 - Kurt estimated that new fixtures would run about \$200K and the current budget is not sufficient. The street scape lighting would need to be funded through an extra work agreement, a scope trade, value engineering, a bid alternate, and/or grant opportunities.
 - Kurt proposed, for consideration, updating the current lights and this would avoid the planned conduits. Jim pointed out that the budget for conduit is 24K.
 - There was consensus to have the First Selectwoman request a meeting with Eversource to discuss options they have and review the cost benefit analysis of the options.
 - David will research what Mansfield did with Eversource.
- David did not expect review delays as the project did not have to go to traffic.
- A 30% and 90% review is required by CTDOT.

PD Scope and Agreement:

- David felt that an addendum to the scope reflecting the phasing in of the project along with the resulting budget deduction would be sufficient. No direct change to the Agreement is required.
- Kurt has started an amended Scope and will complete it pending the review. He will share the draft with the Committee the appropriate reviews.
- There was discussion concerning bid additions e.g. lighting fixtures or putting grass in the current parking lot. Additions are possible if the design was in the submitted preliminary design package. To revisit this would raise red flags at CTDOT per David.

Final Design Procedure:

- David provided the CTDOT manual which was emailed to the Committee. Once CTDOT approval is given, Kurt will work with the Committee, over 3 meetings, to fine tune the streetscape plans.
- Kurt reminded the committee of the concern for reaching sewer laterals from under the sidewalks.
- Regarding drainage, the committee acknowledged that the area is contoured such that in a tidal and rain event drainage may continue to be challenging.
- David noted that CTDOT bid requirements do not include a 10% incidental requirement and that there is no list of prequalified construction companies. The lowest qualified bidder will get the project.

Timeline:

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- David indicated that once the CTDOT comments were responded to, Kurt and he will set up required CTDOT meetings e.g., utilities.
- Kurt expressed confidence in the timeline.
- Kurt reviewed the 8/14/15 update which projects bid documents going out in early Jan 2016. He felt we would get some good bids, and estimated that 5 weeks from bid package to selection would be ideal.
- Kurt will contact the Keith Rosenfeld, Land Use Coordinator to discuss local permitting.
- Although not a requirement of the grant, the Committee budgeted an additional public information meeting and an update to the RiverCOG. A joint public meeting was proposed for mid-November. Rob will check availability of the COG staff.

Update from BSC Group

Budget review:

- Kurt provided the detail from invoice #5 dated 8/24/15. 52% of the labor budget has been earned. Areas of concern for Kurt include progress reporting and mileage expenses due to the additional meetings and lengthier preliminary design timeframe.
 - There was consensus that if there was no activity, no report is required.
 - Per David, extra mileage can be expensed under the current budget allowance if it does not cause an overall increase in the expense budget.
- The phasing in of the project will result in a budget deduction. Kurt will provide the estimate for review and the deduction can be applied to construction budget.
- Kurt provided two sets of plans for the green space and parking lot.
- Kurt updated the committee on the architect's lack of an Agreement with the subcontractor structural engineer.
- Rob indicated that the project funding is in place for 2016.

Next Meetings:

October 16, November 2, December 9 at 4:30 pm at Memorial Town Hall
Possible join RiverCOG and public information session the week of 11/18.
The Committee will plan the 2016 meetings.

Meeting adjourned at 6:30PM.

Respectfully submitted by Mary Jo Nosal, Acting Clerk 09-17-15

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Attachment to 9-15-15 minutes of the Route 156 Bike Way and Sound View Improvements Committee

From: "Roberts, Scott A." <Scott.Roberts@ct.gov> Friday, August 14, 2015 10:36:30 AM
Subject: FW: Old lyme bus ordinance , none support of federal funds alternative transport
To: Bonnie Reemsnyder
Cc: "'Carrier, Andrew' (ACarrier@VHB.com)" <ACarrier@VHB.com>
Attachments: Attach0.html Uploaded File 16K

Good morning, Bonnie - just to keep you in the loop, below is a response we prepared to an inquiry from two of your local businessmen regarding the Htfd Ave bike/ped project (bottom msg) and the Town's ordinance restricting certain size vehicles on certain Town roads. As you will note, we've directed Messrs. Maratta & Corto to discuss this matter with the Town, since it appears to be a matter of local jurisdiction.

Feel free to call me with any questions or concerns. Thanks, Scott.

Scott A. Roberts, P.E.
Transportation Alternatives Program Manager
Connecticut Department of Transportation
2800 Berlin Turnpike
Newington, Connecticut 06131-7546

P: [860-594-3232](tel:860-594-3232)
F: [860-594-3373](tel:860-594-3373)
E: scott.roberts@ct.gov

From: Hayward, Hugh H
Sent: Friday, August 14, 2015 7:42 AM
To: 'Frank Maratta'
Cc: Wilson, Timothy M; Roberts, Scott A.; Carrier, Andrew (ACarrier@VHB.com) (ACarrier@VHB.com); 'Amy Jackson-Grove@dot.gov' (Amy.Jackson-Grove@dot.gov); Robert.w.turner@dot.gov; Eloise.Powell@dot.gov; kenneth.shooshan-sto@dot.gov
Subject: RE: Old lyme bus ordinance , none support of federal funds alternative transportation

Good morning Mr. Maratta and Mr. Corto,

This is in response to your e-mail outlining your concerns with the Town of Old Lyme's (Town) ordinance restricting the operations of motor busses and bus-type campers on certain roads in the Town, and how this relates to the use of Federal Transportation Alternative Program (TAP) funds currently programmed for the Sound View bicycle/pedestrian improvement project (State Project No. 104-172).

The Connecticut Department of Transportation (Department) and Federal Highway Administration (FHWA) have researched the applicable federal and State regulations, including Code of Federal Regulations (ref. [23 CFR 460.2](#)), which includes definitions for *Public Road* and *Open to public travel*, and Connecticut General Statutes (CGS §13b-101 (1), (2) and (3), and we have concluded that the Town's ordinance does not conflict with either federal or State policy/regulation, and therefore the use of federal TAP funds is permissible for Project No. 104-172.

As you are likely already aware, this Town ordinance which was enacted in 2009 allows for exceptions through written request to the First Selectman's office, so there are avenues for residents or businesses to petition for relief from the ordinance's provisions. This appears to be a matter which falls under local jurisdiction, and therefore needs to be discussed directly with the Town for further action or determination.

In closing, I would like to thank you for your support of the bicycle and pedestrian components of this project, as both the Town of Old Lyme and the Department have worked diligently to produce a workable scope of improvements to enhance the bicycle and pedestrian mobility along Hartford Avenue.

Hugh H. Hayward P.E.
Principal Engineer-Division of Highway Design-Local Roads
Connecticut Department of Transportation
2800 Berlin Turnpike
Newington, Connecticut 06131

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Email Hugh.Hayward@ct.gov

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From: Frank Maratta [<mailto:broski01@aol.com>]
Sent: Tuesday, July 07, 2015 8:14 PM
To: Hayward, Hugh H
Subject: Old lyme bus ordinance , none support of federal funds alternative transportation

Dear Amy and Hugh,

We are writing concerning the Federal Alternative Transportation grant which your office oversees, and which the Town of Old Lyme is to receive. As business owners in Old Lyme who own restaurant/bars on the beach, we have concerns pertinent to this grant money. We both do support the bike path and Share the Road for alternative transportation, but are concerned that Town government does not support the same, yet is willing to take federal funds from the program.

Here lies the problem: The town has a bus ordinance for the same streets which are designated for the grant money. (I have enclosed a copy). Our town representatives, as well as community leaders, have played the public safety card; claiming the it is unsafe for a vehicle that contains more than ten people to pass down these streets, which you are giving a substantial amount of money to improve. This is contradicted by the fact that tractor trailers, as well as 45 foot long box trucks, garbage trucks, and even town owned vehicles use these same streets.

Our businesses, which are located at the end of these streets, attract a lot of day trippers. Although we would like to use and accept alternative transportation, such as small buses, limousines, etc. to cut down on the amount of traffic and provide safe transport for our customers, we are forced to refuse customers that wish to use this type of alternative transportation on the streets which are receiving grant money, because the livery operator will receive a \$500.00 fine from the town. This is contrary to the very spirit of the grant program.

In closing, we support alternative transportation, especially as regarding designated driver programs. We also support the Share the Road program, but we feel your office should ask the Town of Old Lyme to do the same, and before any monies from your office are disbursed to the Town, it would be reasonable to ask that this discriminatory bus ordinance should be eliminated, or at least modified to allow reasonable choices for alternative group transportation which wish to use the same streets which are about to receive funding from your office. Thank you for considering our requests.

Sincerely

Frank Maratta
Leonard Corto