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MARCH 1, 2004 SPECIAL MEETING

The Wethersfield Town Council held a meeting on March 1, 2004 at 6:00 p.m. in the Council Chambers of the Town Hall.

Present: Councilors Adil, Cascio(6:05), Czernicki, Forrest(6:07), Fortunato, Hemmann, Montinieri and Deputy Mayor Karangekis.

Absent: Chairperson Morin.

Also present: Bonnie Therrien, Town Manager, and Dolores G. Sassano, Town Clerk.

Town Manager Bonnie Therrien explained that the purpose of the Special Meeting is a Council Workshop on the Nott Street road project. She said that representatives from the Department of Transportation (DOT) and of the Contractor will be present. An answer from the Council is necessary as soon as possible to determine whether the project will constitute blasting or not in order to finish it. The Town Manager has sent letters to the neighborhood requesting that residents forward any questions on the project to her so that she could bring them forward to the representatives at tonight's meeting. The Town Manager introduced Lew Cannon, acting District Engineer for the District One office of the DOT, to answer questions received.

Mr. Cannon introduced his colleagues Dayton Schroeter, Project Engineer; Paul Diorio, Chief Inspector; and Roger Tabshey, Contractor from General Paving. Mr. Cannon gave a brief overview of the history of the Nott Street Road Project which began in August, 2002 and was given 270 calendar days to finish. Mr. Cannon explained that the project was designed by a consultant for Wethersfield who put together the plans and specifications. One requirement of blasting is that, prior to any blasting, a blasting conference must be called by the DOT at which the contractor shall be represented to determine the methods to be used and the required protection to insure the utmost safety during blasting operations. The contractor shall be responsible for all damage, directly or indirectly, by such operation. A special provision was added by Wethersfield's consultant designer which adds four pages of conditions to the standard specifications. Mr. Cannon said that it is his office's responsibility to insure that the specifications are followed with the utmost of care.

Deputy Mayor Karangekis asked if a preblast survey will be conducted on adjacent properties. Mr. Cannon said that there will be a preblast survey conducted by a licensed professional. He said that the preblast survey will include a structural inspection of all buildings and properties and shall include a written and photographic record of all existing conditions. Blasting operations will not commence until a report of the survey is received and approved by the engineer. Deputy Mayor Karangekis asked what happens if a resident does not agree to the preblast survey. Mr. Cannon said that it will be very difficult for that resident to file a claim for damages and all residents are encouraged to allow the inspectors to perform the preblast survey on their property.

Councilor Czernicki said that she is concerned the public has no opportunity at this special meeting to follow up on any response to their previously submitted questions. She clarified that residents will have the opportunity to speak at the regular Council meeting tonight. The Town Manager said that this is correct. Councilor Czernicki asked if the local Fire Marshal has signed off on the Nott Street Road Project. Mr. Cannon said that he is unsure of this, and that the State Fire Marshal has. He said that there was a concern on the local Fire Marshal's part so that the request to blast was escalated to the State Fire Marshal's office.

Councilor Czernicki asked if the blasting requires that both local and State Fire Marshal's sign off on it. Mr. Cannon said that the State and/or local Fire Marshal can sign off on the blasting. Councilor Czernicki asked if the additional specs were added after the initial neighborhood meeting on September 11, 1997. Mr. Cannon said that he was not

involved with the District One office at that time and he is unaware of what happened at the stated meeting. Councilor Czernicki asked what the scope is of the preblast survey and how accurate this scope is. Mr. Cannon said that he cannot speak for the State Fire Marshal's office on whatever conditions are built in to a standard blasting permit. He said that the Contractor could best answer Councilor Czernicki's inquiry.

Councilor Hemmann asked Mr. Cannon to define "adjacent properties". Mr. Cannon said that this will be best answered by the Contractor, Mr. Tabshey.

Councilor Cascio asked who initially decided that Nott Street would be chosen for reconstruction. Mr. Cannon said that the Town initiated the project with CRCOG for safety improvements on the roadway. Councilor Cascio stated that the project originated in March, 1996. Councilor Cascio said that he wants to insure that all appropriate property owners are notified of the blasting issue. Councilor Cascio asked if the current preblast survey reflects results from appropriately functioning equipment. Mr. Cannon said that he was not involved in the survey and deferred the question to Mr. Tabshey. Mr. Tabshey said that the limit of the survey comprises a standard range of 300 feet in all directions from the blast site. He said that the surveys have already been completed and that there is no equipment used to perform preblast surveys. He said that the surveys are performed by independent surveyors. Mr. Tabshey said that blasting for the Colonel Chester Estates affected properties out as far as 1,000 feet out; however it is not standard practice to conduct the preblast surveys out that far. Councilor Cascio said that the scope of the survey is not extended because the Council has requested such. Mr. Tabshey said that this is not up to the Contractor to decide as they do not pay for it. Mr. Tabshey said that the section of Nott Street being discussed is on the same ledge that the Colonel Chester Estates is on. Mr. Tabshey said that preblast surveys are only done on projects where rock will be encountered. Councilor Cascio said that in the past he was told by Town Staff in 2002 that no blasting would occur in the Nott Street Project. Councilor Cascio asked if the Town would be sued if the project were to cease. Mr. Tabshey said that he cannot answer this; however the State may not pay for the project.

Councilor Adil asked Mr. Tabshey if he has had experience with similar projects requiring blasting of hard rock surfaces. Mr. Tabshey said that he has and with a good track record of minimal structural damage. Councilor Adil asked Mr. Tabshey to provide a brief overview of the two-week period of blasting. Mr. Tabshey said that large drills will drill holes for a portion of the day, the holes will be filled with charges, and the charge will be set off. Usually drilling occurs all day with one big blast per day. With the Nott Street Project, there may be drilling and blasting three times per day because smaller charges will be used. Councilor Adil asked Mr. Tabshey to summarize the concerns of Wethersfield Fire Marshal Gary Santoro. Mr. Tabshey said that the concern was mainly the public outcry from the previous incident with Colonel Chester Estates. Mr. Tabshey stated that every effort was made not to have to blast on Nott Street, but there is rock present that will require blasting to get through it. Councilor Adil requested that Town Engineer Mike Turner address the Council regarding the blasting.

Mr. Turner addressed Councilor Cascio's comment that he was informed that there would be no blasting on the Nott Street Project and also how unsafe Nott Street is and why Wethersfield went with the Nott Street Project. Mr. Turner does not recall saying that there would be no blasting; however he does recall

Mr. Tabshey saying that it was his intent not to blast. Mr. Turner said that there were two public hearings held in the past to explain the scope and impact of the project.

Councilor Fortunato said that it is unfortunate that there is not a lot of documentation provided on the Town side of the project. She has not seen anything that supports the Council recommendation that the survey be extended from 300 feet to 1,000 feet. She said that the DOT held a meeting on October 30, 2003 and Councilor Czernicki and Mr. Turner both attended. Councilor Fortunato said that it was discussed whether the Council would permit blasting or not. She asked if a vote took place with the former Council and was told that no vote was taken. Mr. Turner said that the October 30, 2003 meeting was considered by the Contractor to be the preblast meeting specified in the contract. The project was then closed until weather permits in the Spring. Councilor Fortunato asked what the anticipated completion date of the project is. Mr. Cannon stated that the project was awarded on August 1, 2002 with an anticipated start date of September, 2002 which would make the anticipated completion date October, 2003. Mr. Cannon said that during the preconstruction meeting it was noted that the Gas Company made notification that the gas main relocation work could not be performed until the following year. Construction activities will now not start until Spring, 2004 which will push

the completion date up to Spring, 2005.

Councilor Montinieri asked if there will be two weeks of blasting and Mr. Cannon said that this is the estimate that he has been given. Mr. Tabshey said that the blasting period will depend on the size of the charges used, and that he does not expect the blasting to last more than one month. Mr. Tabshey said that it is expected that the charges will be minimal enough to fracture the rock but not crack foundations.

Councilor Czernicki verified that the high side of the amount of time for blasting is now four weeks and Mr. Tabshey said that this is correct. Mr. Tabshey estimated that there will be three to four blastings per day. Councilor Czernicki stated that most of the homes in the blasting area have plaster walls and ceilings that could crack with the blasting. Councilor Czernicki said that the mailing to residents indicated that the blast area would be at the intersection of Westlook and Nott. She asked if the blasting site will be at the intersection of Westlook and Nott or Woodside and Nott. Mr. Tabshey said that it will be at Woodside and Nott. Councilor Czernicki said that a number of people have now been misinformed and also some residents may not have been notified at all due to a change in the blasting location. Councilor Czernicki said that the mailing needs to change due to the fact that the radius from the new blasting site changed. Councilor Czernicki asked if Westlook is on the ledge and Mr. Turner said that it is on the back side of the ledge. Councilor Czernicki stated that the preblast survey should be increased due to this. Councilor Czernicki asked Mr. Tabshey if Blastec is the blaster to be used. Mr. Tabshey said that currently they are. Councilor Czernicki asked if there have been any complaints against Blastec with the Connecticut Insurance Commission. Mr. Tabshey said that he has no knowledge of this. Councilor Czernicki asked if the Town of Rocky Hill has asked that Blastec no longer blast in their Town for a certain period of time because Blastec worked outside the parameters of their blasting code which Mr. Tabshey has held up tonight as a model of blasting. Mr. Tabshey said that he heard about this issue for the first time this evening. Councilor Czernicki said that a letter from Rocky Hill states that Blastec uses a subcontractor who blasted at least three blasts that were excessive and outside the parameters of the Rocky Hill Ordinance. Councilor Czernicki stated that experience has shown that this issue of blasting is a very slippery slope and she is concerned about the quality of life for the affected Wethersfield residents.

Deputy Mayor Karangekis asked Fire Marshal Gary Santoro to come forward to speak and answer any questions.

Mr. Santoro addressed Councilor Adil's question as to his concerns for blasting. Mr. Santoro said that he is very sympathetic to blasting in Wethersfield as his previous residence was damaged by blasting at Balf Quarry. He said that considerable damage occurred with the blasting at Colonel Chester Estates. Mr. Santoro said that the rock is very thick and the blasting will cause vibrations in all directions. He does not feel that anyone can predict what the affects of hitting the rock will be. Mr. Santoro explained that sheet rock can handle more vibrating than plaster which will crack more easily and that most homes in the blasting area are constructed of plaster. Mr. Santoro explained that the State Fire Marshal can, at any time, take jurisdiction over anything that a local Fire Marshal does. The State DOT asked the State Fire Marshal to issue a blasting permit and he did. Mr. Santoro said that, in good conscience, he cannot issue a permit for blasting in the Nott Street area or any location in Wethersfield unless he can be absolutely sure that there will be no damage sustained.

Councilor Forrest asked how the 300 foot range for surveying is determined. Mr. Santoro said that the 300 foot range standard comes from the General Statutes. Councilor Forrest asked what the furthest distance sustaining damage was when blasting occurred at the Colonel Chester Estates. Mr. Santoro said that the damage occurred as far as Onlook Road which is beyond 300 feet. Councilor Forrest asked if the Town is responsible for payment of any survey beyond the 300 feet. Mr. Tabshey indicated that the Town would be responsible for payment. Councilor Forrest asked if the substance of the notification clearly and concisely includes the liabilities, how to obtain an inspection, and phone numbers. Mr. Cannon said that these are included.

Mr. Cannon stated that the Town designed the Nott Street Project and it did allow blasting in the specifications that were bid by the Contractor. The State Fire Marshal has approved a permit for the blasting and if the Council does not allow blasting there could be tremendous costs that will fall back on the Town. Mr. Cannon said that it is important to decide on this matter so as not to delay the project any further.

Councilor Montinieri asked Mr. Santoro what the worst case scenario of damage could be. Mr. Santoro said that this is

hard to answer because it depends on the age of the house and exactly where the charge is placed.

Councilor Cascio asked if residents will be notified when blasting will occur. Mr. Cannon said that residents will not have to leave their homes during blasting; however it will be prudent to take down from walls and shelves any objects that are valuable.

ADJOURNMENT

At 7:05 p.m., Councilor Czernicki moved "**TO ADJOURN THE MEETING**" seconded by Councilor Adil. All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

Dolores G. Sassano
Town Clerk