

# BROOKFIELD WATER POLLUTION CONTROL AUTHORITY

Wednesday, January 25, 2012 Room 133 7:00 p.m.

## SPECIAL MEETING APPROVED MINUTES

1. **Convene Meeting** - The Special Meeting of the Brookfield Water Pollution Control Authority was held on Wednesday, January 25, 2012 at the Brookfield Municipal Center, Room 133. Chairman Malwitz called the meeting to order at 7:00 p.m. with the following persons in attendance:

### W.P.C.A.

Chairman Malwitz, Chairman  
L. Trojanowski-Marconi, Vice Chair  
J. Jove  
\* T. Lopez  
\* P. Kurtz

### Others

J. Sienkiewicz, Commission Attorney  
M. Finan, Commission Engineer  
R. Prinz, Chief of Maintenance  
D. Will, Inspector  
S. Welwood, Commission Accountant  
W. Charles Utschig, Birdsall Engineering  
K. McPadden, Executive Administrator

\* Regular voting member this evening

## 7:00 INFORMATIONAL PUBLIC HEARINGS

- **Delmar Drive Sewer Extension – A motion was made by L. Trojanowski-Marconi to open the Delmar Drive Sewer Extension Informational Public Hearing at 7:03 p.m. The motion was seconded by J. Jove and passed unanimously.** Chairman Malwitz explained that this was an informational meeting, meant to gather public comment from the property owners along Delmar Drive. Commission Engineer Michael Finan reviewed the drawing of the proposed sewer line, explaining that there would be a gravity line down to the bottom of Delmar Drive, with a new pump station to be installed to pump up to an existing force main. There would be approximately 1,500 feet of main and 600 feet of force main as part of this project. Chairman Malwitz explained that the assessment rate is calculated by taking the total project cost and dividing it by the total grand list value of the properties involved. He read into the record an email from Jack Rowland, who stated that he would only be interested in connecting to sewer if potable water was brought down Delmar Dr. at the same time. Mr. Malwitz explained that water and sewer are separate in the Town, and then read portions of an email from the Town's water consultant M. Handshy which explained that the water line goes past Delmar Drive with a valve and a T to allow the line to connect down to Delmar Drive. Any request to connect should be addressed to Aquarian. Several property owners commented in favor of the sewer extension down Delmar Drive. A couple of questions were raised:  
Q: What will happen now?  
A: Detailed engineering designs will be done; the cost of construction money will need to be secured; a public hearing will be held; any easement acquisitions will occur.  
Q: What are the costs associated and do people have an opportunity to comment on them?  
A: The preliminary costs will be approximately 6% of the properties assessed valuation, and there will be a public hearing once the benefit assessments have been established when people may comment.  
**A motion was made by L. Trojanowski-Marconi to close the Delmar Drive Sewer Extension Informational Public Hearing at 7:23 p.m. The motion was seconded by J. Jove and passed unanimously.**

- **High Meadow/Ledgewood/Newbury Crossing Condominiums Sewer Extension - A motion was made by L. Trojanowski-Marconi to open the High Meadow/ Ledgewood/ Newbury Crossing Condominiums Sewer Extension Informational Public Hearing at 7:23 p.m. The motion was seconded by J. Jove and passed unanimously.** Commission Engineer Michael Finan reviewed the drawing of the proposed sewer lines, and explained that there are four (4) options, each of which took into consideration cost, wetlands and constructability. Option #1 is the least expensive, but the excessive amount of wetland disturbance does not make this a viable option. Option #3 has the same interior gravity system going to a pump station as option #1, but would pump out to Silvermine Road. The downside to this option is the crossing of 3 streams, which the Army Corp has stated that they don't prefer. Option #4 is the most expensive, with the same general interior system with a pump station and a force main up to Junction Road and gravity system down to Pocono Road. Option #2 is the preferred option, with gravity systems within the roads to a pump station which would go through the wetlands right down to Pocono Road. It has the least impact on the wetlands and utilizes a cattle crossing under the railroad. The existing infrastructure can be re-used and brought to where it is needed. C. Utschig from Birdsall Services Group reviewed the process of how the design options were chosen. An owner from High Meadow asked that Ledgewood Condominiums be compelled to connect due to the leaching of their septic systems onto High Meadow property.

Several questions were raised:

- Q: Why wouldn't you connect Newbury Crossing out to Silvermine Road?  
A: There would be more roadway disturbance which would drive up the costs.  
Q: Have the costs to connect only Newbury Crossing been calculated?  
A: They have not been split out separately.  
Q: Why were all 3 condominiums made part of the project when only High Meadow approached the WPCA for sewerage?  
A: It is more cost effective to include all 3 condos. If you were to connect each condo at separate times, the total cost would be significantly higher (i.e. mobilization costs).  
Q: Will the one (1) pump station be satisfactory to handle the capacity of 3 condos?  
A: Yes, it will be plenty.  
Q: What happens if the existing infrastructure it is not able of being used? Will this be known before the next public hearing, and if so, will the cost of the project be more?  
A: The existing lines will be videoed to determine their condition. If they are not OK, then they will need to be retrofitted. The costs will be done by the next public hearing, and it will be known by then whether the existing infrastructure is usable.  
Q: I was told the total cost of the project would be \$4,000,000. Is this still correct?  
A: The estimated cost of Option #2 is \$1,500,000, and Option #3 is \$1,800,000.  
Q: Is the pump station above ground or below ground? Are there any noises emitted from it?  
A: The majority of the pump station is underground, although there will be a fence around the portion that is above ground, which will be landscaped with brush. The only noise would be when there is a generator running, which is usually only when there is a power outage.  
Q: What are the other costs associated with hooking up?  
A: There will be an assessment, a quarterly use bill (currently \$85.00 per quarter), an Outlet Capacity Charge of \$10 per gallon (to be paid by the association or the individual homeowner is yet to be determined), an application fee (\$250.00 per unit or one per condo complex is yet to be determined), the cost to abandon each of the septic systems will be borne by the condo associations, and possibly a Permanent Maintenance Agreement cost, depending on what portions of the line the WPCA will take over. The WPCA will own and maintain from the pump station out, but the rest has not been clearly determined.  
Q: Is there a contract with Danbury so we don't get caught with nowhere to send the Town's sewage in the future?

- A: Yes, there is an Interlocal Agreement which will expire in April 2012, but the WPCA will re-negotiate additional gallonage and renew the contract.
- Q: Will the assessment change as the revaluations take place every 5 years?
- A: No, the assessment will be based on the reval numbers of 2011, and will not be lowered at the next reval (unless additional properties come on, which would then cause the rate to be lowered).
- Q: Why is the use charge the same for an 8,000 house with 5 bathrooms as a 400 square foot condo with 1 bathroom?
- A: When the sewers were first installed back in the 70's, there was no public water or water meters. Because of this, the WPCA had to come up with a way to bill for use, and it was determined that a single family home or condo was billed for 1 unit, which is currently \$85.00. There has never been discussion of having a low square foot use charge, but it would be at the discretion of the WPCA to change the unit charges.
- Q: Is the Congregational Church interested in connecting? If so, would this lower the assessment cost per unit?
- A: They are not part of this design and have not yet been contacted, but if they did connect, it would lower the assessment cost per unit.
- Q: What is the timeframe if this does move forward?
- A: The next step is to apply to wetlands. In order to do this, a full engineering detail needs to be done, which will cost a considerable amount. The WPCA wants to make sure that the three condos are on board before spending the money on the engineering (which will eventually become part of the cost of the project). Any work in the wetlands would need to be done during the dry months of late summer/early fall, so it would most likely happen in summer of 2013.
- Q: Can someone opt out?
- A: You can opt out of connecting, but you would still get an assessment.
- Q: What happens if the Wetlands Commission denies the application? Which option is the next best choice?
- A: The WPCA would look into Option #3 if Wetlands denies Option #2.
- Q: How did this project come about?
- A: The people of High Meadow approached the WPCA after they learned of the high price to replace their current septic systems if they failed. The WPCA then got approval from the Board of Selectmen and the Planning Commission to move forward.
- Q: Is an emergency generator part of this project?
- A: It is not part of this project, but it might be a good idea to add it as the WPCA has only one portable generator.
- Q: Will there be another option for public input?
- A: Yes, there will be a public hearing once the final engineering plans are complete.

**A motion was made by L. Trojanowski-Marconi to close the High Meadow/ Ledgewood/ Newbury Crossing Condominiums Sewer Extension Informational Public Hearing at 8:26 p.m. The motion was seconded by J. Jove and passed unanimously.**

There was a brief break from 8:26 p.m. to 8:35 p.m. in order to allow the public to leave the room.

Chairman Malwitz introduced Chris Scott, a Brookfield resident who has volunteered to join the WPCA.

- 2. Approval of Minutes –12/14/11, 1/11/12 Special Meeting - A motion to approve the minutes of the December 14, 2011 Special Meeting was made by T. Lopez, seconded by P. Kurtz and passed unanimously. A motion to approve the minutes of the January 11,**

**2012 meeting was made by L. Trojanowski-Marconi, seconded by T. Lopez and passed unanimously.**

**3. Old Business**

- a. High Meadow/Ledgewood/Newbury Crossing Condominiums Sewer Extension – To consider and act upon – Chairman Malwitz asked that Birdsall Services Group come back in February with a quote for the entire project, including a breakout cost for the wetlands portion only, and to defer the decision to move forward with the project until the quotes are submitted and reviewed.
- b. Delmar Drive Sewer Extension – To consider and act upon – Based on the positive comments from this evening’s informational public hearing, **a motion was made by J. Jove to move forward with the Delmar Drive project and approve the authorization of up to \$37,000 to Birdsall Engineering, which includes Preliminary Design, Geotechnical, Final Design and Permitting. The motion was seconded by L. Trojanowski-Marconi and passed unanimously.** Chairman Malwitz signed the Birdsall Services Group proposal.
- c. 30 Federal Road – Application for Sewer Connection – M. Finan stated that the one condition in his letter to 30 Federal Road is that if the kitchen area is ever changed or converted to a fast food establishment that they come before the Authority for approval. **A motion was made by L. Trojanowski-Marconi to authorize the issuance of a discharge permit subject to compliance with the recommendations in the 1/13/12 letter from Birdsall Services Group. The motion was seconded by J. Jove and passed unanimously.**

- 4. Accountant Comments/Report** – S. Welwood handed out and reviewed her December Financial reports. Chairman Malwitz reported that Ms. Welwood is doing the same type of analysis on the Center School and 3-Condo sewer districts as she did on the Federal Road North district, to see where the amounts will land at the end of the bonds. This is being done proactively to report to the Town to show that the WPCA will collect enough in the long run to cover the bond payments. Mr. Malwitz has asked Birdsall Services Group to put together a narrative with numbers regarding the future connection numbers to be able to go to the City of Danbury when it comes time to renew the Interlocal Agreement. Atty. Sienkiewicz asked if the WPCA will be tasked with going to the City of Danbury to negotiate the renewal of the Danbury Agreement and Chairman Malwitz stated that the WPCA may be doing it on its own. Chairman Malwitz stated that the plan is to have the preliminary budget ready for the February meeting, as well as a 5 year capital budget.

- 5. Engineer Comments** – M. Finan reported that the contract was signed today for the Caldor Grinder project and the Notice to Proceed will go out January 31, 2012. He reported that J. Pisco had tried to set up a meeting with the J. Iapaluccio prior to his leaving but it never happened. Mr. Finan will initiate a meeting as soon as he can. The benefit assessments cannot be determined until the total cost of the project is tallied. Mr. Finan reported that the letter from the Army Corps of Engineers was received regarding the High Meadow/Newbury Crossing/Ledgewood project and they are requiring the Authority to apply for a permit from them. This will be part of Birdsall Services Group’s proposal.

**6. Legal Matters**

- a. DanBrook Shopping Center (Caldor) Termination of Agreement and Release – Atty. Sienkiewicz reported that the termination agreement has been signed and returned regarding the return of the “Caldor #1 and #2” escrow money. **A motion was made by L. Trojanowski-Marconi to authorize the Chairman to approve the Termination Agreement and Release, and refund \$10,000 to BDAC Associates Limited**

- Partnership and \$5,820.32 (plus any interest) to Danbury Properties, Inc. The motion was seconded by J. Jove and passed unanimously.**
- b. Other Legal Matters – Atty. Sienkiewicz asked if the Raymour and Flanigan pump station upgrades had been done – D. Will stated they had. These fixes will allow Atty. Sienkiewicz to return the “Joe Ades” escrow monies to R&F Danbury LLC. **A motion was made by L. Trojanowski-Marconi to authorize the Chairman to authorize the termination of the Permanent Maintenance Agreement and refund the money to R&F Danbury, LLC. The motion was seconded by J. Jove and passed unanimously.**
7. **Chief of Maintenance Report** – There have been a significant number of false alarms at the Railroad Pump Station but R. Prinz stated that the problem should be fixed as of today. Chairman Malwitz reported that Andy Sincali from U.S. Automation was asked to quote a price for putting additional sensors in at the Caldor pump station, which will be part of the grinder project.
8. **Other WPCA Business** – An email was read into the record from a sewer user who claims he did not receive his bills in December and would like the delinquent interest fees waived. A WPCA Bill Notice was printed three (3) times in the newspaper, the office did not receive the bills back as undeliverable and he did receive the delinquent report. Following discussion, **a motion was made by J. Jove to waive the delinquent interest charges for Accounts #1584 and 1625 based on the email received and non-receipt of the bills. The motion was seconded by P. Kurtz, but failed by a vote of 2-3.**
9. **Vouchers** - A motion was made by L. Trojanowski-Marconi to approve the vouchers for payment as submitted. The motion was seconded by T. Lopez and passed unanimously.
10. **Adjournment** - There being no further business, on motion by L. Trojanowski-Marconi, seconded by T. Lopez, the meeting adjourned at 9:47p.m.

\*\*\* Next meeting scheduled for February 22, 2012 \*\*\*