

BROOKFIELD WATER POLLUTION CONTROL AUTHORITY
Wednesday, September 26, 2012 Room 133 7:00 p.m.
APPROVED MINUTES

1. Convene Meeting

Chairman Malwitz called the meeting to order at 7:00 p.m. with the following people in attendance:

W.P.C.A.

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

Others

M. Finan, Birdsall Engineering
W. Charles Utschig, Birdsall Engineering
J. Sienkiewicz, Commission Attorney
R. Prinz, Chief of Maintenance
D. Will, Inspector
K. McPadden, Executive Administrator
E. Cole Prescott, Recording Secretary

* P. Kurtz was a voting member for this meeting.

2. Approval of Minutes – 8/22/12 Regular Meeting; 9/12/12 Special Meeting

- a. **08/22/12 Regular Meeting** – T.E. Lopez noted that on page 4 there should be an addition in the second paragraph to add “hearing” after the word “public.” **T.E. Lopez made a motion to approve the minutes with the addition of the word hearing. J. Jove seconded the motion, and it carried unanimously.**
- b. **09/12/12 Special Meeting** – **L. Trojanowski-Marconi made a motion to approve the minutes of the 09/12/12 meeting. J. Jove seconded the motion, and it carried unanimously.**

3. Correspondence

a. Letter from Rich Saluga of Newbury Village dated 08/30/12 was read into the record. Mr. Saluga’s letter was to request an explanation of the 11.7% percent increase of quarterly sewer use charges to \$95 from \$85 per quarter per unit. Chairman Malwitz noted that K. McPadden drafted a letter noting the concerns regarding the increase of quarterly sewer use charges. Chairman Malwitz stated that the WPCA costs over the last ten years have doubled, and the usage charges to WPCA customers have increased by about 50 % over that time period. Chairman Malwitz explained the use charges increase, and noted that the \$95 use charge per unit will allow the WPCA to have sufficient funds to allow for capital improvements in the budget going forward. Chairman Malwitz noted that the WPCA was losing money when the sewer use charge was \$75 per unit per quarter, was sufficient when charging \$85 per unit per quarter, and will now have some money to reserve for capital improvements at the \$95 per unit per quarter rate. Chairman Malwitz also mentioned that the WPCA is paying off a clean water fund bond through the City of Danbury that is an additional cost that is scheduled to end next year, and the plan is to maintain the \$95 per unit per quarter charge for, hopefully, several years.

4. Old Business

a. 15 W. Whisconier Road – Application to Connect
S. Sullivan of CCA Engineers was present. S. Sullivan stated that CCA is in receipt of the approval letter from Birdsall Engineering, and they have no issues with that letter. K. McPadden noted that the escrow for the project has not yet been paid for the engineering in the amount of \$1,250.00. M. Finan stated that if the use is changed a revised grease trap calculation must be submitted. Atty. Sienkiewicz asked if the property’s bills are paid to date. This discussion was tabled until after discussion of item 5.a., 871 Federal Road – Application to Connect.
K. McPadden left the meeting room to check the records for the payment status of this property.

5. New Business

- a. 871 Federal Rd. – Application to Connect (Buildings 1-5)

M. Lillis of CCA Engineers and Tony Lucera, builder and developer in the area and owner of the property, were present. M. Lillis stated that he is here to request connections to the five proposed buildings for Riverview and for a reduction of the community sanitary sewer collection system that had previously been proposed. Atty. Sienkiewicz mentioned that there was a Permanent Maintenance Agreement for the project, and inquired as to whether a deposit had been made for that agreement. K. McPadden replied that \$13,950.00 was deposited in September 2008 for the Permanent Maintenance Agreement. Atty. Sienkiewicz stated that the Commission had deferred amending the agreement, which is now an open issue. Atty. Sienkiewicz inquired as to whether the applicant plans to withdraw the application, or submit this as an amendment to the original approval. T. Lucera replied that this application would be considered an amendment. K. McPadden noted that the remaining escrow balance is \$4,640. Atty. Sienkiewicz stated that he believed that this project needs to be referred to engineering and that the Permanent Maintenance Agreement will also have to be amended. T. Lucera noted that the condo units will be sold, not rented. Atty. Sienkiewicz stated that there should be an estimate of the cost of construction for the community system. T. Lucera stated that he is looking to have the manhole changes and the line changes for the plan. M. Finan stated that he will review the revised plans. **L. Trojanowski-Marconi made a motion to accept the application (871 Federal Road – Application to Connect for Buildings 1-5) for review and amendment of the Permanent Maintenance Agreement. T.E. Lopez seconded the motion, and it carried unanimously.** Atty. Sienkiewicz asked if there will be five connection permits pulled, and T. Lucera replied that this application contained 5 connection applications. Mr. Lucera stated that the sewer work will be done at one time. As the foundation work is done the connection lines will be attached to the buildings.

*K. McPadden returned to the meeting room during the 871 Federal Road discussion.
The Commission moved back to old business, 15 West Whisconier Road.*

Old Business

- a. 15 West Whisconier Rd. – Application to Connect (Buildings 1-5)

Based on the report just run, K. McPadden noted that 15 West Whisconier Road is delinquent in the amount of \$1,305.55 for use payments. Atty. Sienkiewicz stated that the payment of these delinquent charges could be a condition of the discharge permit. The property owner should know that the regulations state that if the account is delinquent no sewer connection approval or building permit sign-off can be issued. **L. Trojanowski-Marconi moved to approve the application for sewer connection for 15 West Whisconier Road, Whisconier Middle School, subject to requirements set forth in the September 19, 2012 Birdsall Services Group letter and subject to the requirement that the escrow amount of \$1,250.00 is paid within forty-five days and with the notation that no sewer connection permit or building sign-off can be issued while any sewer use charge, assessment, or connection fee is delinquent, per Section 1.0.1 of the Sewer Use Rules and Regulations. P. Kurtz seconded the motion and it carried unanimously.**

6. Engineer Comments/Project Update

a. Caldor Pump Station Grinder – M. Finan noted that the project is generally complete, and at this point the only outstanding item is the landscaping. M. Finan stated that he is working with Kovacs Construction about the price of an outstanding change order.

- b. High Meadow/Ledgewood/Newbury Crossing Project –

M. Finan reported that Birdsall Engineering has a plan together for the project. M. Finan stated that the current plan is to have a single pump station near the wetland that crosses the wetland out to Pocono Road. M. Finan reported that they have made some adjustments to the gravity line as a result of some new topographic information inverts, but the general plan is to remain the same. M. Finan explained that there is a fully engineered set of drawings, the borings are being done this week, and the videoing will be done next week. He stated that Birdsall has been in contact with Jodie Chase to complete her portions of the plan for wetlands and Army Corps of Engineers, so Birdsall will be coordinating with her to put the project together at the same time. Chairman Malwitz stated that when the videoing and the borings are finished the final engineering can be completed. M. Finan noted that the engineering of this project will follow the water line work in most cases. T.E. Lopez asked

M. Finan if he has walked the property, and M. Finan stated that he will contact T.E. Lopez when he plans to walk the property again.

c. Delmar Drive Sewer Extension – M. Finan noted that Birdsall Engineering has completed a bid analysis, which he distributed for the Commission’s review. He reported that there were five bidders for the project, and he noted that the apparent low bidder is Earthmovers, who he suggested the project be awarded to. Atty. Sienkiewicz asked if Earthmovers has told M. Finan who the primary subcontractors are going to be, and M. Finan noted that the subcontractors do not need to be approved before the project can be awarded. M. Finan noted that there has been a question from R. Tedesco about the temporary pavement, which is three inches generally (as in the specs also), and M. Finan noted that R. Tedesco has asked that four inches be laid. M. Finan stated that this additional work needs to be discussed with Earthmovers. T.E. Lopez asked what the quality of workmanship and reliability of Earthmovers has been, and R. Prinz replied that Earthmovers did complete a project recently under budget as “first class” work. M. Finan stated that the WPCA will give money to the Town to finish the complete, permanent paving of the road. R. Prinz noted that this is a very small sewer pumping station. **L. Trojanowski-Marconi moved to award the bid for the Del Mar Drive Sewer Extension Project to Earthmovers, Inc. for the bid as presented. T.E. Lopez seconded the motion, and it carried unanimously.**

d. GIS System Update – Chairman Malwitz noted that sewer line and manhole data needs to be keyed into a spreadsheet. T.E. Lopez stated that out of the money that the WPCA allocated for the system, 70% to 80% is associated with the data entry for the system. T.E. Lopez asked if there will be additional expenses incurred beyond what the WPCA has already paid. Chairman Malwitz stated that most of the data has come with the system and is already installed. M. Finan stated that he has discussed the issue that some of the data does not line up correctly with CCA and Scott Sharlow, who works on the GIS system throughout the Town Hall. M. Finan stated that he will ask S. Sharlow to complete as much information as possible within the database. M. Finan stated that the basic service package could be done within a month’s time. Chairman Malwitz stated that possibly the grease traps and pump detail could be added to the GIS system. M. Finan mentioned that he and Mr. Sharlow will meet to determine what work will be completed by whom. P. Kurtz asked how the information is identified, and M. Finan stated that the system works through identifiers. T.E. Lopez stated that as a wish list he would like to see storm water areas flagged. M. Finan stated that any field can be added to the GIS system.

e. Other Engineering Matters – None.

7. Legal Matters

a. Sandy Lane Permanent Maintenance Agreement – Atty. Sienkiewicz stated that the document needs to be signed, and he is waiting to hear back from the lawyer, who told Atty. Sienkiewicz that there was a meeting scheduled for Tuesday.

b. 67 Federal Road – Easement - Atty. Sienkiewicz stated that he spoke with the attorney for the project last week, and tried calling again today but the attorney was not in the office.

c. Delinquent Accounts – Atty. Sienkiewicz stated that he will probably start to put forth some collection letters. Atty. Sienkiewicz noted that a lot of these outstanding funds are for benefit assessments for the three-condo project. Atty. Sienkiewicz noted that there is not much to report.

d. Other Legal Matters – Atty. Sienkiewicz stated that he needs to get the easement for Del Mar Drive, and noted that M. Finan stated that the easement map should be ready in a few days.

8. Chief of Maintenance Report

High Meadow Sewer Extension - R. Prinz stated that he has reviewed the plans for the change in the location of the pump station with M. Finan, which will now be further off of the tennis courts. M. Finan noted that the pump station will be set at the end of the dead end resulting in reduced wetland disturbance because of the move.

Del Mar Drive – R. Prinz asked when the Commission would send out the notice to proceed. Atty. Sienkiewicz noted that the contract should first be signed and the bonds attained. M. Finan will coordinate the paperwork. R. Prinz stated that it would be good to get the pump station completed before Christmas.

Grinder at Pump Station #1 – R. Prinz noted that the grinder is installed. R. Prinz noted that the WPCA would like to settle the change order dispute at \$17,500.00. R. Prinz stated that the pipe material change order was not approved prior to the work being completed.

Monitoring Upgrade – R. Prinz reported that the system parts are ready to be installed for the Caldor Pump Station. R. Prinz explained that the WPCA is awaiting an easement on 67 Gray’s Bridge Road. R. Prinz will assist in the follow up with the owner. R. Prinz also reported that U.S. Automation has been contacted to install the materials; R. Prinz noted that he hopes that this project is ready to function by the end of October. R. Prinz noted that the WPCA has provided conduits out to the manholes, but US Automation needs to hire an electrical contractor to complete the electrical portion of the installation.

Old New Milford Road Extension – R. Prinz noted that the WPCA has not received the request for semi-final payment from Earthmovers for this project. The manhole covers were changed to standard Brookfield covers.

Sandy Lane Extension – R. Prinz reported that the WPCA is holding \$5,769.00, and this money can be released when the maintenance period expires in June 2013.

Water Pollution Control Plan – R. Prinz stated that the third and final part of this plan is the facilities plan. K. McPadden noted that she has sent the completed portions of the Water Pollution Control Plan to the State.

Pump Station Maintenance – R. Prinz reported that he has completed maintenance checks on eight of ten pump stations. R. Prinz noted that there will also be a database of all the pump stations and histories. This database will also indicate if any pump stations are in or out of service as well. R. Prinz explained that this information could then be connected to the GIS system.

Grease Trap Program – R. Prinz noted that D. Will is working on the third quarter inspections for the grease traps.

Water Line – R. Prinz mentioned that by October the work should be complete.

BJ’s – R. Prinz noted that this project is on schedule. R. Prinz also stated that the developers are proposing to remove the originally approved restaurant in front of the building to add a gas station instead. It was noted that BJ’s has not come before the WPCA with revised plans.

Costco – R. Prinz noted that there is money owed for inspections. D. Will noted that there was another grease trap of 1,000 gallon installed, and there was a grease trap installed for the bank.

Healthy Weighs – R. Prinz reported that the connection has already been completed. K. McPadden will be sure they are entered as a customer for usage billing.

28 Old Route 7 – D. Will noted that the hair salon is ready for inspection, but that there is not much change from last week’s report.

Four Corners Area - R. Prinz noted that in the Four Corners area there is a proposed plan that has been presented to Land Use Commissions for incentive housing units on the property currently owned by Lawrence Hoyt. R. Prinz noted that there is a sewer line along the Hearth and mentioned that there needs to be an application submitted for the work. R. Prinz stated that he was invited to be part of a pre-application meeting for the project.

195 Federal Road – R. Prinz reported that this project is 60% complete. The pump station was eliminated, but has not been taken out of the ground according to D. Will.

Generator - P. Kurtz inquired if the generator has been modified, tested and can be used anywhere it is needed. R. Prinz replied that the generator is set up for the 480 stations, but at the 208 stations the generator would need to be hardwired. R. Prinz stated that the 208s are on the old generator. R. Prinz noted that the new generator can be used on eight of the pump stations.

9. Other WPCA Business

a. Accountant Reports – The Commission reviewed the accountant reports created and submitted by S. Welwood. Chairman Malwitz stated that the Commission has not yet received the annual bill from Danbury.

c. Three Condo Benefit Assessment – Chairman Malwitz stated that he had received a report from S. Welwood in February showing the numbers for the benefit assessment fund for the Three-Condo Project. The December 31, 2011 account cash balance plus delinquencies was \$500,000. But upon further review, it turns out the number was \$589,000 at June 30, 2012. Chairman Malwitz explained because of this, the Commission is in a position to lower the interest rate on the project from three percent (3%) to two percent (2%) and have enough in the program to pay the loan. Separately, Chairman Malwitz stated that he is also proposing that the Commission pays off the bond anticipation note of \$550,000 when it becomes due early 2013. **T.E. Lopez made a motion to reduce the interest rate on the benefit assessment for the Three-Condo Project from three (3%) percent to two (2%) percent on this coming billing that will be sent out on December 1, 2012. L. Trojanowski-Marconi seconded the motion and it carried unanimously.**

Chairman Malwitz explained that the Three Condo financing program is not a bond, but a loan. Chairman Malwitz stated that generally with bonds, the interest is high in the beginning and lower toward the end of the bond time period, but because this project is funded by a loan, the annual payment amount remains consistent. Chairman Malwitz proposed to reduce the amount of the interest calculation to two percent; change the billing style so that the annual assessment payments remain the same throughout the life of the loan; and adjust the benefit assessment period to end in 2030. Extending the payment period will reduce the annual payments for each owner. The occasion of the plan change could be used to allow delinquent users to get back on track by capitalizing unpaid amounts. This proposal requires further study and a decision before the December 2013 billing. After a preliminary check, QDS represents it has the programming in place to implement the proposed plan.

b. Sub-Committee Updates –

Outlet Capacity Charge Sub-Committee & 2% Capital Cost Recovery Connection Charge fee Sub-Committee -

P. Kurtz stated that there will be a report on this information at the October 24th meeting.

Restaurant Sub-Committee – T.E. Lopez stated that the committee is working with Aquarion Water to review water usage at businesses served by the WPCA, and it appears that only twenty-percent of the restaurants on the sewer system in Brookfield are currently on the water line. T.E. Lopez stated that the information needs to be analyzed and stated that there will be some information extrapolated from the data that the committee already has, and that this is a work in progress. K. McPadden explained that there is not much water history available. T.E. Lopez stated that he can estimate that a report will be prepared for the December meeting.

d. Other WPCA Business – K. McPadden noted that C. Scott has been working with her on the new computers, and C. Scott is working on attaining some rates for computer upgrades. K. McPadden noted that the computers are over four years old, and R. Prinz mentioned that his computer is over seven years old.

10. Vouchers

The Commission reviewed the vouchers for approval at this meeting. **L. Trojanoswki-Marconi moved to approve the vouchers as submitted and J. Jove seconded the motion. Motion carried unanimously.**

11. Adjournment

L. Trojanowski-Marconi made a motion to adjourn at 8:41 PM. J. Jove seconded the motion and it carried unanimously.

*** Next meeting scheduled for October 24, 2012 ***