

BROOKFIELD WATER POLLUTION CONTROL AUTHORITY

Wednesday, February 20, 2013 Room 129 7:00 p.m.

APPROVED MINUTES

Chairman Malwitz opened the regular meeting at 7:00 PM with the following persons in attendance:

1. Convene Meeting:

W.P.C.A.

N. Malwitz, Chairman
T.E. Lopez
P. Kurtz, Alternate*

* P. Kurtz was a voting
Member for this meeting

Others

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

2. **Approval of Minutes - 01/23/13** – Attorney Sienkiewicz noted that the minutes should be amended to indicate his summarization of the conditions of the permit starting on line 14 of page 3. **T.E. Lopez made a motion to approve the minutes with the noted change, and P. Kurtz seconded the motion. Motion carried unanimously.**

3. Correspondence

a. Letter from Jeanne Miller dated 02/13/13 – *Jeanne Miller, Pocono Crossing, Brookfield, CT was present.* Chairman Malwitz read the letter dated 02/13/13 for the record. The Millers' letter asked that the use billing of the WPCA be re-evaluated to use metered calculations rather than the current unit calculations. Chairman Malwitz suggested that the letter be taken into advisement. He explained how the current usage billing method was established and stated that once more town wide water usage history is gained, it may be an option for the WPCA to pursue. Ms. Miller stated that she would be happy to help with this project between now and June if this is something that the WPCA would like to pursue.

b. Letter from James Vulcano, Chairman of Inland Wetlands Commission dated 02/13/13 - Chairman Malwitz read the letter to the WPCA from the Wetlands Commission noting that the High Meadow/Newbury Crossing/Ledgewood Sewer Extension Public Hearing is scheduled for February 25th at 7:30 PM. Chairman Malwitz stated that Jodie Chase will be present at that meeting.

c. Letter from Jeff Sienkiewicz dated 02/06/13 – Attorney Sienkiewicz noted that this letter was directed to the staff rather than to the Commission.

4. Old Business

a. 20 Vale Road - Sewer Extension Application – *S. Sullivan of CCA Engineers, Brookfield, CT was present.* S. Sullivan asked if an extension needed to be given for the application review. He stated that the applicant wanted to change the routes of the sewers to Vale Road and made note of the changes. S. Sullivan recommended that M. Finan and R. Prinz review the preliminary plans for this revised route so that the full set of plans can be completed and submitted before the next meeting. S. Sullivan noted that there will be a new easement map done and mentioned that the sewer route down near Vale Road has not changed. Attorney Sienkiewicz asked S. Sullivan how the CL&P easement is affected by the sewer lines. S. Sullivan noted the location of the easement on the map. Attorney Sienkiewicz stated he edited the draft permit to include that a certificate of title and a certification that any other easements such as the CL&P easement do not interfere with the maintenance of the sewer, and to ensure that this easement is a permanent public easement. This application is tabled to the March meeting.

b. 111 Park Ridge Road Parcel 1 (fka 20 Vale Road) – Sewer Connection Application – S. Sullivan of CCA Engineers, Brookfield, CT was present. S. Sullivan noted that M. Finan will review the plans for this project as well. This application is tabled to the March meeting.

5. New Business

a. 11 Orchard Street – Request to discontinue sewer assessment – M.J. Grimes, current owner of 11 Orchard Street, Brookfield, CT was present. Mr. Grimes reviewed the location of 11 Orchard Street and stated that around 2008 or 2009 the property was zoned commercially and the previous owner had received permission to extend the sewer line to this property, at which time it was assessed. Mr. Grimes stated that the property has since been re-zoned as residential, and he would like the sewer extension approval rescinded. He also asked that the money paid toward the assessment be refunded. J. Grimes mentioned that he has received the Sanitarian's approval to install a septic system on the property. Chairman Malwitz stated that the benefit to the property takes place when the property gets approval to connect to the sewer and Mr. Grimes stated he believes that the benefit does not start until the property is connected. J. Grimes asked if the refund could at least be pro-rated from tonight until whenever the assessment is paid. Atty. Sienkiewicz mentioned that there are some legal matters that need to be discussed before the Commission can make a decision. T.E. Lopez suggested that this issue be tabled until the next meeting. J. Grimes stated that he will submit a letter for the file explaining the situation and asking for the rescinded approval and refund of fees for the next meeting. This matter is tabled until the March meeting. *The Commission decided to discuss the Employee Handbook as part of 'Other WPCA Business'. T.E. Lopez suggested that the Commission move to item 8.c., Permanent Maintenance Agreement Accounts, to allow J. Miller to be a part of the discussion regarding Pocono Crossing. The Commission moved to agenda item 8.c, Pocono Crossing.*

8. Legal Matters

c. Permanent Maintenance Agreement Accounts – Jeanne Miller, owner of Pocono Crossing, Brookfield, CT was present. Attorney Sienkiewicz noted that one of the accounts that the Commission is holding escrow funds for is Pocono Crossing. Attorney Sienkiewicz stated that even though these buildings are not considered condominiums, they do qualify as a community sewer system, which requires them to have a Permanent Maintenance Account (PMA). Attorney Sienkiewicz explained that the State of CT now allows all WPCA's to return remaining PMA escrow monies, but explained that the owners themselves are required to maintain their own escrow accounts and report their actuarial adequacies to the Authority annually. Attorney Sienkiewicz asked that Birdsall review the construction costs and get back to him with a replacement number so that he can come up with the final numbers. He will then draft up a revised PMA with all amounts to be deposited in the new account.

The Commission moved back to agenda item 6.

6. Accountant Reports

S. Welwood reviewed the accountant reports with the Commission.

7. Engineer Comments/Project Update

a. Del Mar Drive Project – M. Finan stated that Birdsall has received the pump submittals from the contractor, and they are under review. After this review, construction can begin. M. Finan also noted that the water line is in, but not yet in use. Chairman Malwitz confirmed with M. Finan that the May target deadline is still appropriate.

b. High Meadow Project – The public hearing is set for Monday, February 25, 2013 at 7:30 PM. R. Prinz stated that the \$3,500 amount on tonight's voucher sheet is for J. Cowen of Environmental Planning Services for the environmental impact review, which was requested by the Inland Wetlands Commission.

c. GIS System – M. Finan stated that he spoke to the GIS Contractor Scott Sharlow today regarding the GIS system and noted that Mr. Sharlow is currently working on parcel information for

the Town. M. Finan stated that he has been speaking with K. Daniel and the IT Department for the work on the GIS system that the WPCA is looking to accomplish. M. Finan noted that there will be a cost difference for this project that S. Sharlow will submit to the Town. M. Finan stated that he has yet been unable to get a deadline from S. Sharlow for this GIS work. Chairman Malwitz stated that the Town will be having a presentation about the front end interface software that will allow the GIS system to be used in an easier method. Chairman Malwitz stated that K. McPadden, R. Prinz and D. Will could possibly attend this presentation for more information about this software.

d. Other Engineering Matters – Caldor Pump Station flow meter – M. Finan stated that Birdsall has the basics of this proposal put together, and he will get this information to the Commission for the next meeting.

8. Legal Matters

a. 56 Del Mar Drive – Attorney Sienkiewicz reported that the property owner would like a letter, which he will work on and get to them regarding the landscape easement.

b. 67 Federal Road – R. Prinz stated that the WPCA would like to put in their own electrical meter so that there is no question of who is required to pay for the electricity. Attorney Sienkiewicz clarified that at this point the work requires an electrical easement. R. Prinz noted that the WPCA would use their own meter, and the WPCA is really only using the property to put the meter on the site.

c. Permanent Maintenance Agreements - *Attorney Sienkiewicz noted that Pocono Crossing had been discussed earlier in the meeting.*

- Commerce Drive: Attorney Sienkiewicz noted that the ownership of the Commerce Drive system is a bit unclear from the existing agreement. Attorney Sienkiewicz stated that there are ten lots that are serviced by Commerce Drive and asked the Commission what they want to do in this case. Chairman Malwitz asked Attorney Sienkiewicz who owns the pump station, and Attorney Sienkiewicz stated that he believes that it is owned by an entity known as Brookfield Commerce. Attorney Sienkiewicz stated that he needs to know what is out at the site to determine what the WPCA should require the association to put in escrow. Attorney Sienkiewicz stated that this is not a community sewage system. R. Prinz asked if the Authority has any thoughts about taking over the lines and the pump station and handle the necessary repairs. K. McPadden noted that the WPCA is holding just over \$11,000.00 in escrow for these properties. Chairman Malwitz asked for a picture of what this site looks like as well as an estimate of the cost to do any necessary repairs on the system. R. Prinz approximated that replacement of the system will cost \$300,000 or \$400,000. P. Kurtz suggested that an assessment be done of the site to determine what is required.
- Rollingwood Condominiums – Attorney Sienkiewicz asked D. Will how many units were in this condominium association, and he replied that there are 243 units. Attorney Sienkiewicz stated that M. Finan has given him an estimate for the replacement of the system at \$704,970. The WPCA is currently holding approximately \$24,000.00 in the escrow account for this association. Attorney Sienkiewicz stated that the initial deposit should have been \$72,000.00. Attorney Sienkiewicz reviewed the numbers submitted by M. Finan for the repair estimates with the Commission. D. Will stated that there is one pump station and two pumps. W. Charles Utschig suggested that Birdsall re-visit the numbers that had been submitted for the repair estimate.

d. 3-Condo District Assessment Re-Calculation (Atty. Statute Review) –Chairman Malwitz stated that he would like to re-calculate and re-spread every assessed property on the 3-Condo line out to the year 2030. Chairman Malwitz stated that the purpose of this re-calculation is to align the assessment payments due with when the CWF loan payments end (2030). K. McPadden noted that this re-calculation would also result in fixed payment amounts every year, like a mortgage. S. Welwood stated that currently there are some owners who have over-paid, so she noted that

everything will need to be reset for this issue as well. Chairman Malwitz proposed that this recalculation will only be done for the 3-Condo line because this project is funded by a loan rather than a bond. K. McPadden asked Attorney Sienkiewicz and S. Welwood what documents, if any, they would need to review for the new financing. K. McPadden asked if the WPCA needs to hold a public hearing about this matter, noting that the current Resolution states that the amounts due are to be paid until the year 2028. Chairman Malwitz asked Attorney Sienkiewicz to come with a proposal for this payment restructure at the next meeting.

e. Other Legal Matters – None.

9. Chief of Maintenance Report

a. Caldor Pump Station Main Break Update

1. Transfer of money from Unrestricted Account to reimburse Operating for costs associated with Sewer Main Break - R. Prinz reported that the force main break has been repaired and the majority of the bills have been received. R. Prinz noted that the actual cost of the break was \$47,925.00. R. Prinz asked if the cost of the project will need to be subsidized, so he is asking tonight that the WPCA transfer money from their unrestricted WPCA funds to the operations fund. S. Welwood stated that the WPCA should not transfer any money from the unrestricted funds to cover the cost of this sewer main break because it is viewed as a maintenance repair and not a capital project. W. Charles Utschig stated that the total cost could have been double this amount if it had not been for R. Prinz's monitoring and expert management.

b. 871 Federal Road, Riverview Update – R. Prinz reported that the condo lines at Riverview are not built properly, and the lines still cannot be tested.

R. Prinz reported on the following items:

- High Meadow – R. Prinz noted that he and W. Charles Utschig had gone to the Inland Wetlands Commission meeting on February 11, 2013.
- Del Mar Drive – R. Prinz stated that the project will possibly be starting in March.
- R. Prinz stated that Chairman Malwitz and he have met to work on the budget.
- R. Prinz stated that there are still some problems with the 3-Condo project from the wipes that are disposed of by the residents. A note will be put in the March 1st bills asking customers not to flush wipes.
- R. Prinz stated that the Town is planning the continuation of the waterline down to the Danbury line.
- D. Will noted that the pumping for the kiosk will be done tomorrow for BJs.
- R. Prinz reported that 272,000 gallons per day were used last month, and the flow meter is back in operation as of the 7th of January.

10. Other WPCA Business

a. March 20th meeting date discussion – Chairman Malwitz will be out of the country on March 20, 2013 and asked that the meeting date be changed to March 27, 2013. Atty. Sienkiewicz reminded the Commission that it will need to be a Special Meeting and they will need to adhere to the agenda strictly. **T.E. Lopez made a motion to move the meeting date from March 20th to March 27th at 7:00 PM. P. Kurtz seconded the motion, and it carried unanimously.**

b. 2013/2014 Draft Budget – The Commission reviewed the proposed budget for the 2013-2014 year. P. Kurtz asked S. Welwood how much information is available for the previous budgets to compare to this year's budget. K. McPadden noted that there are cash budgets from previous years available for comparison purposes. S. Welwood asked how the office considered engineering, legal and employee costs. Chairman Malwitz noted that the engineering and legal fees listed on this budget do not include dedicated fees. **T.E. Lopez made a motion to recommend that the operating budget is approved for the next year. P. Kurtz seconded the motion, and it carried unanimously.** Attorney Sienkiewicz noted that the ordinance also requires that a capital budget be submitted. Chairman Malwitz stated that the Commission will review the capital budget plan at next month's meeting.

c. Logo – K. McPadden explained that Chairman Malwitz had asked her to look into getting a logo for the WPCA (newsletter). K. McPadden stated that she learned about a website called

Crowdspring.com that allows a business to set its own budget and choose from a wide variety of submitted designs. T.E. Lopez suggested that everyone come to the next meeting with his or her thoughts. K. McPadden will send out an email for discussion regarding the parameters of the logo.

d. QDS/Invoice Cloud Update – Chairman Malwitz stated that this new online payment system will interface directly with Quality Data so that Mary will no longer need to post payments manually. S. Welwood stated that from an internal control standpoint, cross checks will need to be done. Chairman Malwitz stated that the WPCA will test this system in April. R. Prinz asked how much the service will cost, and K. McPadden stated that it will cost the WPCA \$50 per month. The customer/resident will pay an extra service fee for use of the system. Chairman Malwitz noted that there will be a fee for e-checking and credit card payments comparable to what the Tax Collector charges for online payments.

e. Other WPCA Business (Old computers) – K. McPadden stated that the office has the new computers up and running and is unsure of what to do with the “old” computers. R. Prinz noted that he is still using his old computer because he cannot do what he needs to do on Windows 8 that he used to be able to do on Windows 7. K. McPadden stated that the Town in the past had sold the computers for \$1, and the library had sold their CPU’s for \$75. T.E. Lopez asked if the computers may be donated. P. Kurtz suggested that the computers be held for a bit and then something could be determined about what should be done.

- Delinquent Accounts - The Commission reviewed a list of the delinquent accounts.

The Commission moved to item 5.b., Employee Handbook.

5. Old Business

b. Employee Handbook – Chairman Malwitz mentioned that this item is on the agenda because the Commission would like to discuss whether or not to adopt the Town’s employee handbook. K. McPadden stated that there are many items in this handbook that do not apply to the WPCA, and there are other items that give many rights to the First Selectman that would normally be done by the WPCA. P. Kurtz stated that he agreed that not all of this information is applicable to the WPCA staff. T.E. Lopez recommended that K. McPadden and R. Prinz list out their concerns with the handbook. K. McPadden and R. Prinz had mentioned that they had highlighted the portions that they feel do not apply to the WPCA employees. R. Prinz stated that he will send his highlighted copy to T.E. Lopez for his review. T.E. Lopez stated that he believes that the Town is looking to have a uniform approach. Chairman Malwitz asked if P. Kurtz would mind looking over the comments and the highlighted information sent to him from R. Prinz and K. McPadden. P. Kurtz and T.E. Lopez agreed together to look over the material that will be sent to them from R. Prinz and K. McPadden.

11. Vouchers

P. Kurtz made a motion to accept the vouchers as presented with the addition of Kovacs for the amount of \$24,666.09 and Green Mountain for the amount of \$6,600.00. T.E. Lopez seconded the motion, and it carried unanimously.

12. Adjourn

T.E. Lopez made a motion to adjourn at 10:55 PM. P. Kurtz seconded the motion, and it carried unanimously.

****The next WPCA meeting is scheduled for March 27, 2013**
(Due to the meeting date change, it will be a Special Meeting)**