

BROOKFIELD WATER POLLUTION CONTROL AUTHORITY

Wednesday, April 24, 2013 Room 133 7:00 p.m.

APPROVED MINUTES

1. **Convene Meeting** – Chairman Malwitz called the meeting to order at 7:03 PM with the following persons in attendance:

WPCA:

N. Malwitz, Chairman
L. Trojanowski-Marconi, Vice Chair
T.E. Lopez
C. Scott
P. Kurtz*

OTHERS:

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

*P. Kurtz was designated as a voting member for this evening's meeting.

2. **Approval of Minutes** 03/27/13 - **T.E. Lopez made a motion to approve the minutes of the 03/27/13 meeting. C. Scott seconded the motion. The motion was approved, 3-0-2, with L. Trojanowski-Marconi and P. Kurtz abstaining.**

3. **Correspondence** – None.

4. **Old Business**

a. 20 Vale Road – Sewer Extension Application (Revised plans received 03/20/13) S. Sullivan of CCA Engineers and Greg Steiner, owner of 20 Vale Road, were present to discuss the application. S. Sullivan stated that he is looking to submit a plan showing the revised route of the sewer line because of the location of the originally proposed sewer line in relation to the CL&P easement. S. Sullivan noted that the proposed plan is to tie from the existing manhole and come across the easement in the road shoulder of Park Ridge Road Extension and run down the east side just outside of the CL&P easement all the way down. S. Sullivan noted that the proposed plan is also to give the 60' plus an additional 12' along the road right-of-way to the Town as easements. S. Sullivan noted that the proposal is for a fifteen-foot wide easement down through the wooded area and out to Vale Road. S. Sullivan mentioned that the purpose of reducing the size of the originally proposed thirty-foot easement is to not restrict other potential building footprints. Attorney Sienkiewicz noted that according to the regulations, sewer easements are to be no smaller than twenty-five feet. Attorney Sienkiewicz noted that he needs to review the legal documents relating to the proposed easement. S. Sullivan asked that R. Prinz and M. Finan review the new route before he completes the profile maps. S. Sullivan and G. Steiner mentioned that they will review the proposed easement area.

b. 111 Park Ridge Road Parcel 1 (fka 20 Vale Road) – Sewer Connection Application S. Sullivan of CCA Engineers and Greg Steiner, owner of 111 Park Ridge Road, were present to discuss the application. S. Sullivan submitted the revised plans, noting that the pipe slope has been increased and changed to ductile iron to decrease the depth of the manhole. The Commission noted that this application has been under review for more than sixty-five days, and there are not enough extension days remaining for the application to remain under review by the time of the next meeting. S. Sullivan requested that the application be withdrawn and re-submitted with this revised plan. **L. Trojanowski-Marconi made a motion to accept the withdrawal of the pending application for 111 Park Ridge Road as requested by the applicant and to accept and treat as a new application for 111 Park Ridge Road the original application and fee together with the map that was submitted at tonight's meeting on April 24, 2013**

and all of the original file would be part of this application. T.E. Lopez seconded the motion, and it carried unanimously.

- c. 40 & 64 Laurel Hill Road – Commercial Sewer Connection Application
- d. 40 & 64 Laurel Hill Road – Multi-Family Sewer Connection Application

S. Sullivan of CCA Engineers was present on behalf of the applicant. S. Sullivan informed the Commission that he received Birdsall's comments yesterday, and was therefore unable to prepare a response. S. Sullivan asked that this application be tabled until the next meeting. L. Trojanowski-Marconi made a motion to table the applications for 40 & 64 Laurel Hill Road for the commercial sewer connection application and the multi-family sewer connection application. C. Scott seconded the motion, and it carried unanimously.

5. New Business

a. 140 Federal Road – Application to Disconnect Burger King – *Dan Pederson and Dan Peterero, both of DSP Engineering, were present to discuss the application.* Mr. Pederson noted that the Burger King connection is on-site at a manhole; he stated that the plan is to disconnect the current building and re-connect the proposed building at that manhole. Mr. Pederson noted that a 1,000-gallon grease trap is proposed for the site. Mr. Pederson explained that the plan is to demolish the current Burger King building, which is approximately 3,300 square feet; he explained that the proposed size of the Chick-fil-A building is 4,700 square feet. M. Finan noted that the pipeline is approximately ninety feet from the building. **L. Trojanowski-Marconi made a motion to accept the application to disconnect Burger King and refer it to the engineer for review. C. Scott seconded the motion, and it carried unanimously.**

b. 140 Federal Road – Application to Connect Chick-fil-A – *Dan Pederson and Dan Peterero, both with DPS Engineering, were present to discuss the application.* The application was discussed above, item 5.a. **L. Trojanowski-Marconi made a motion to accept the application to connect Chick-fil-A (140 Federal Road), refer it to the engineer for review and to set the inspection and engineering fees at \$3,150. P. Kurtz seconded the motion, and it carried unanimously.**

c. Sewer Extension for Laurel Hill Gravity vs. Pump Station – *R. Prinz and S. Sullivan were both present to discuss this potential application.* R. Prinz summarized that the current plan for 40, 57 & 64 Laurel Hill Road is to build new pump stations for the project, but he feels that the project would be better served if done by the WPCA as a gravity line. R. Prinz explained that there is a current line that runs from the Hearth to a house on Laurel Hill Road. He stated that if the WPCA took that line over and made it a sewer authority line and ran it over to the new buildings on Laurel Hill Road, the project could be served as a gravity line. R. Prinz stated that he has spoken to the owner of the Hearth Restaurant and the house behind it, and he seems willing to work with the WPCA on this project. R. Prinz stated that he believes that the first step of the project would be to apply for an 8-24 referral for the extension of the existing sewer line. Chairman Malwitz noted that the first step is to propose the project to the Board of Selectmen, then to the Planning Commission. Attorney Sienkiewicz asked if the owner of the Hearth and the home would need to be compensated for the use of his property. S. Welwood asked who would be responsible to pay for this work, and Chairman Malwitz replied that he believed that this area would become its own sewer district area. S. Sullivan stated that the applicant does not want to delay the sewer lateral applications, but that they would consider using the gravity-fed line instead if the WPCA would go ahead to get the approvals for the work. Attorney Sienkiewicz asked if there are any other properties other than 40, 57 & 64 Laurel Hill Road that will benefit from this proposed work. S. Sullivan stated that properties further to the North will probably not be able to be picked up from this line. R. Prinz pointed out the ongoing cost of pump stations. Attorney Sienkiewicz noted that the proposed apartment buildings

would not be considered community sewer systems. Chairman Malwitz suggested that Birdsall Engineering compile a conceptual review of the work for the next meeting.

6. Accountant Report

a. Month End – S. Welwood reviewed the report with the Commission.

b. Bi-Annual Billing Process – S. Welwood urged the WPCA to consider going from a quarterly to semi-annual billing. T.E. Lopez thought that Invoice Cloud would make the process more efficient. S. Welwood responded that Invoice Cloud will not help the billing process and will require another set of procedures. S. Welwood explained that there is much more to the billing process than just billings: there are liens, releases, change of property owners and change of billing addresses to name a few. S. Welwood noted that there is no benefit to billing four times per year, as is currently done. P. Kurtz asked if a semi-annual billing would cause further problems with the payments. L. Trojanowski-Marconi mentioned that perhaps the WPCA can send notices out to owners to inform owners that the WPCA will be switching to a different billing cycle. S. Welwood suggested that the WPCA bill on December 1 and on June 1. Chairman Malwitz asked that S. Welwood and K. McPadden work together to come up with a proposal for the semi-annual billing plan. Attorney Sienkiewicz mentioned that the Commission will need to make a regulation change in order to change the billing process, according to section 7.1.3 of the regulations.

7. Engineer Comments/Project Update

a. Del Mar Drive Sewer Extension Project – M. Finan reported that there is slow movement on the construction of this project. Earth Movers has cut the road, and they are about three weeks away from their time limit on the contract. M. Finan noted that he and R. Prinz have spoken with the contractor about the timeline. M. Finan asked that the WPCA grant an extension. Attorney Sienkiewicz suggested that a letter be sent to the contractor about the liability in the contract. T.E. Lopez asked why the contractor has not adhered to the timeline, and M. Finan replied that the contractor has other work. T.E. Lopez agreed that the WPCA send the letter to the contractor reminding the company of the liquidated damage clause of the contract. M. Finan stated that he will draft a letter and send it to K. McPadden to be sent to the contractor.

b. High Meadow/Ledgewood/Newbury Crossing Project/Wetlands Application Status – M. Finan reported that the Inland Wetlands Commission has continued the public hearing to their next meeting on May 13, 2013. Chairman Malwitz stated that the Town budget referendum is scheduled for May 21, 2013, with the approval for this project to be included in this same referendum. Chairman Malwitz suggested that Birdsall Engineering complete the bid package in two parts – work in the wetlands as the first part (to be done in the dry months) and all other work as the second part. T.E. Lopez asked if the total amount of the project has changed, and M. Finan noted that the financial amount will be determined when the next phase of the engineering has started. C. Scott asked if the deadlines would be the same, and M. Finan noted that there would also be two different deadlines for the bid package. Chairman Malwitz noted that the first phase of the engineering work has already been authorized, and that the total amount of the contract was approximately \$92,100 to complete all of the engineering work. Chairman Malwitz noted that the remaining amount of the contract to be authorized to Birdsall Engineering is \$36,500 from the April 2012 design proposal. Attorney Sienkiewicz noted that the easements need to be done, and M. Finan noted that he will send the contact information to Attorney Sienkiewicz. **P. Kurtz made a motion to authorize to Birdsall \$36,500 for final design for the bid award for the end of May from the proposal dated April 2012.** Chairman Malwitz noted that there will be a credit from Birdsall to the WPCA in the amount of \$5,000 for the payment of Jodie Chase. **C. Scott seconded the motion, and it carried, 4-0-1, with T.E. Lopez abstaining.** Attorney Sienkiewicz noted that he will need to draft the necessary easements for the project.

c. GIS System Update – M. Finan stated that S. Sharlow has contacted him to ask for electronic files so that information may be added to the GIS system. K. McPadden noted that there was a

two-hour GIS basic training class this past week that she and R. Prinz attended. M. Finan reported that he will follow up with S. Sharlow.

d. Caldor Pump Station Flow Meter – Chairman Malwitz stated that M. Finan gave him a drawing today of the Caldor Pump Station Flow Meter. Attorney Sienkiewicz noted that he had drafted a license agreement, and that he will send it to the property owner’s lawyer.

e. Other Engineering Matters – W. Charles Utschig gave an update of Birdsall’s current business and legal status.

8. Legal Matters

a. 67 Federal Road Easement – Chairman Malwitz noted that this matter was discussed earlier under the Caldor Pump Station Flow Meter. He noted that this document is now a license agreement instead of an easement.

b. Pocono Crossing Amended Permanent Maintenance Agreement – Attorney Sienkiewicz stated that the agreement has been signed by the property owner utilizing the pre-engineered certified costs that were used when the system was originally built. Attorney Sienkiewicz noted that the document has been changed by the request of the owner to allow the deposit to be made by no later than June 30, 2013.

c. Remaining Permanent Maintenance Agreement Accounts –

- Rollingwood Condos – Attorney Sienkiewicz noted that he has received some of the cost estimates for the Rollingwood Condos.
- Commerce Drive – R. Prinz reported that he believes that the WPCA should take over this sewer system. R. Prinz stated that the association should at least supply the WPCA with a spare pump, which would cost approximately \$8,500, easements transferred at the owner’s expense, generator hookup and other associated expenses. Attorney Sienkiewicz stated that he will speak with the owner about these potential costs.

d. Other Legal Matters –

- Three Condo District Assessment Re-Calculation – Attorney Sienkiewicz suggested that the WPCA adopt a resolution to amend the payment plan for those property owners who are current on their payments. Attorney Sienkiewicz noted that the draft resolution would note that if the delinquent property owners bring their payments current, they would be reinstated under the new plan.

9. Chief of Maintenance Report –

R. Prinz reviewed his report with the Commission.

- Proposed Extension at Laurel Hill Road – R. Prinz reported that he will get proposed plans for this project.
- R. Prinz stated that the water company has requested to use the Caldor pump station area as a staging location for the water extension to Danbury. R. Prinz noted that the WPCA owns a small portion of this property. R. Prinz reported that the Town of Brookfield has hired a contractor to complete the work. Attorney Sienkiewicz noted that there should be a fenced-off area for the protection of the WPCA’s access.
- R. Prinz reported that D. Will has done the grease trap inspections, and no letters needed to be sent.
- 871 Federal Road – The work for the sewer line has been completed. R. Prinz reported that the force main has been replaced and tested, and the pump station is operational. K. McPadden reported that 12 units have already been sold.
- Oak Meadows – R. Prinz noted that this project is still in progress.
- Newbury Village – R. Prinz stated that the second grand building is under construction.

- BJ's Temporary Discharge of Remediation Groundwater – R. Prinz noted that the current property is being charged 17 units. C. Scott concluded that the average unit is about 125 gallons for the commercial property. Chairman Malwitz summarized that this will be an ongoing project of water being pumped into the sewer line. There are about 1,947 gallons per day. The average daily flow at that time was estimated at 9,000 gallons per day. BJ's payment will now be lowered to 14.5 units. The report will continue to be submitted to the WPCA on a quarterly basis.

10. Other WPCA Business

- a. Birdsall Services Group Update – Discussed above, agenda item 7.e.
- b. 3-Condo District Assessment Re-Calculation – Discussed above, agenda item 8.d.
- c. Employee Handbook – K. McPadden noted that this item was tabled because it was sent to P. Kurtz and T.E. Lopez for review. T.E. Lopez reported that he and P. Kurtz have met and discussed the highlighted areas of the book and would now like to have a meeting with the staff to discuss the book. T.E. Lopez stated that he has spoken to the Human Resources Department, which will revise the document accordingly. R. Prinz will add comments to the highlighted sections of the book and submit them to P. Kurtz and T.E. Lopez.
- d. Logo Update – C. Scott will work with K. McPadden on completing the application for this project.
- e. Invoice Cloud Update – K. McPadden noted that training with Invoice Cloud had been scheduled for 4/23, but QDS failed to send the correct data and it never happened. K. McPadden has been in contact with the Invoice Cloud representative about this matter, and the data should be sent by Friday. The soft launch date of May 3rd will most likely be pushed off until a later date.
- f. Inspection Rate – K. McPadden noted that the direct labor reimbursements rates were raised to \$50 last year, but with the new fiscal year, pension rates will double and will require another rate inspection rate increase. K. McPadden submitted a calculation sheet of the increased costs, and Chairman Malwitz suggested that a public hearing be set for this item to raise the inspection rate to \$60 per hour.
- g. Other WPCA Business – Chairman Malwitz noted that the Capital Cost Recovery Connection Charge in the regulations is not clearly written and asked Atty. Sienkiewicz to re-write the section to more accurately reflect how the charges are calculated.

Ad-hoc committee report – Chairman Malwitz noted that there is a Special Board of Selectmen meeting this Friday, April 26, 2013 for the purpose of hearing and reviewing the report of the Sewer Ad Hoc Committee. Chairman Malwitz prepared a comment sheet and reviewed this with the Commission.

11. Vouchers

The Commission reviewed the vouchers. L. Trojanowski-Marconi made a motion to accept the vouchers. T.E. Lopez seconded the motion, and it carried unanimously.

12. Adjournment

L. Trojanowski-Marconi made a motion to adjourn at 10:51 PM. T.E. Lopez seconded the motion, and it carried unanimously.

*** Next meeting scheduled for May 22, 2013 ***