

BROOKFIELD WATER POLLUTION CONTROL AUTHORITY

Wednesday, February 26, 2014 Room 133 7:00 p.m.

APPROVED MINUTES

1. **Convene Meeting:** Chairman Malwitz called the meeting to order at 7:01 PM with the following in attendance:

WPCA

N. Malwitz, Chairman
L. Trojanowski-Marconi, Vice Chair
I. Agard
P. Kurtz (arrived at 8:51 PM)

Others

R. Prinz, Maintenance Manager
D. Will, Inspector
W. Charles Utschig, Engineer of Langan Eng.
S. Welwood, Accountant
K. McPadden, Executive Administrator
E. Cole Prescott, Recording Secretary

2. **Approval of Minutes** – 11/20/13, 1/22/14 – Chairman Malwitz stated that there are not the appropriate members present to approve either of minutes from previous months.

The Commission moved to discussion of agenda item 3, Old Business.

3. **Old Business**

- a. 4 Elbow Hill Road – Application to Connect – *Russ Posthauer, Professional Engineer with CCA and Marc Rogg of 4 Elbow Hill Road, Echo Bay Marina, were both present to discuss the application.* This application to connect was submitted at the January WPCA meeting. Mr. Posthauer stated that he had sent a revised plan to Langan Engineering yesterday and Mr. Utschig explained that he did not have time to review it for today's meeting. Mr. Posthauer noted that the applicant was asked to extend the gravity sewer line from the existing manhole near Federal Road. W. Charles Utschig stated that eliminating the pump station on the plan may be worth the extra excavation in the field. The gravity line starts on the south side of the road. Chairman Malwitz asked Mr. Posthauer for their schedule, and Mr. Rogg explained that in order to obtain a building permit, he must first acquire an approval from the WPCA. R. Prinz asked if the WPCA is able to give a will-serve letter to the applicant so he can obtain a building permit. W. Charles Utschig stated that the applicant will most likely need a manhole on their side of the street, in the driveway, and then either a force main in the street or a gravity line to the back. **L. Trojanowski-Marconi made a motion to approve the application to connect to the sewer [4 Elbow Hill Road] pending review and approval of the plan by Langan Engineering. I. Agard seconded the motion, and it carried unanimously.**
- b. 23-41 Grays Bridge Rd. – Request to Extend Sewer Connection Approval – Kristi McPadden stated that the applicant (Stellar Self Storage) has asked for an extension of the approval that had been previously issued approximately seven years ago. Upon inquiry from L. Trojanowski-Marconi, K. McPadden stated that the Commission had extended the permit approval one year ago. **L. Trojanowski-Marconi moved to extend the permit [23-41 Grays Bridge Road sewer connection approval] for one more year through February 2015. I. Agard seconded the motion, and it carried unanimously.**

I. Agard left the meeting room at 7:23 PM. I. Agard returned to the meeting room at 7:27 PM.

4. **Accountant Reports**

- a. Financial Reports – S. Welwood reviewed the financial reports.
- b. Danbury Fees – S. Welwood distributed her Annual Analysis of Danbury Fees to the Commission. She noted that there are two variables to this calculation – the cost per gallon and the flow per year. S. Welwood explained that this information is necessary for audit purposes. S. Welwood discussed with the Commission the fees paid in 2013, when the total flow was 101,247,507 gallons. That is 277,400 gallons per day. S. Welwood stated that a correction [prior period adjustment] will be made in the current year for the prior year item because the bill from Danbury was received quite late this year. S. Welwood stated that the gallons per year

at this point are much lower than they had been last year. I. Agard asked why the gallons rate is lower if the number of units on the line is higher, and R. Prinz replied that there are many variables to this number, such as economic factors and weather factors such as rain, heat and season. S. Welwood reviewed the history of the number of gallons used since the 1980-1981-budget year. Chairman Malwitz stated that the limit between Brookfield and Danbury is 500,000 gallons per day. A study was done which determined that the current number of gallons noted in the Danbury Interlocal Agreement is appropriate for a decade or more. S. Welwood reviewed the cost in cents per gallon over the past five years. Currently, the trend analysis indicates \$0.0025 per gallon. I. Agard asked how the bill is calculated, and Chairman Malwitz replied that the WPCA is not given any advance details from Danbury about the budget amounts that make up the projected bill. Payment is estimated for the current year and includes settling the prior year. S. Welwood asked "What per-gallon rate the Commission would like her to use for the 2014 budget calculation?" S. Welwood mentioned that 2013 year-end close was \$.0021, and the last five-year average was \$0.00235 per gallon. S. Welwood reviewed that based on the trend line, the \$0.0026 per-gallon rate, used for the current year's budget calculation, should be reduced when calculating the 2014 budget amount. The Commission agreed to use the trend amount of \$0.0025 per gallon. I. Agard suggested that the Commission research Danbury's ten-year plan to try to determine any upcoming improvements that could possibly be reflected in future Danbury plant charge bills. Separately, the Commission reviewed a list of delinquent benefit assessment accounts. Chairman Malwitz asked that this delinquent account information be added to Ms. Welwood's monthly financial reports.

- c. 2014-2015 Proposed Budget – The Commission reviewed the proposed budget. K. McPadden explained that she, R. Prinz and I. Agard had discussed a proposed increase in the number of units billed based on information provided about upcoming projects, which is why on the proposed 2014-2015 budget there is a ten percent increase indicated in units billed. Chairman Malwitz noted that an amount for the GIS system should be added to the proposal, and S. Welwood noted that this amount should be budgeted as an operations line item. Chairman Malwitz also mentioned that pending projects should be included in the proposed budget. I. Agard asked when the line study should be planned, and R. Prinz replied that this study should be budgeted for the 2014-2015 budget. S. Welwood suggested that the Commission send her proposed project information so she can summarize the requests, and bring the summary to the next meeting for the Commission to make decisions about the upcoming budget information.

Chairman Malwitz introduced the candidate commissioner, Patrick Beccaria, to the Commission.

The Commission moved to agenda item 8.f., Amend WPCA Map to include incentive housing overlay.

8. Other WPCA Business

- f. Amend WPCA Map to Include Incentive Housing Zone – *Mr. McCoy with JFM Engineering and Mr. Hebert with Laurel Hill Partners were present to discuss this matter.* Chairman Malwitz stated that he attended the last Planning Commission meeting to discuss this map amendment. The WPCA reviewed a map of the area showing the incentive housing zone. Chairman Malwitz explained that the Zoning Commission had approved this incentive housing zone, which now requires both sewer and water for development. Chairman Malwitz reviewed a map of the properties in the incentive housing zone with the Commission. John McCoy stated that his impression of the Planning Commission's view was that the Planning Commission would review the potential area for sewer and water, with the incentive housing zone as the priority. It was noted that gravity flow to these properties [101-103 Laurel Hill Road] would be optimal. Upon inquiry from I. Agard, R. Prinz noted that a pump station could be installed as one alternative, and the other alternative is for the applicants to construct their own pump station. R. Prinz mentioned the other alternative is to bring the gravity line out to those properties. R. Prinz stated that the maintenance of a pump station is quite expensive, and he also reviewed on the map potential locations where a gravity line could be run. R. Prinz noted that a pump station would be required for three residential properties where the gravity line would most likely not be able to extend.

Mr. McCoy stated that according to the applicant's plan for the property, some of the property would be serviced with sewer using a pump and some of the property could be sewer using a gravity line. Mr. McCoy suggested that other properties could use this pump station in the future. R. Prinz replied that other properties could not tie into a private pump station, but only a WPCA-owned pump station. R. Prinz mentioned that the gravity line would need to extend at least 1,200 feet. R. Prinz stated that the assessments to the properties would be over ten percent if this gravity line were to be run. R. Prinz stated that historically, the courts are not in favor of WPCA assessments over ten percent. R. Prinz stated that the current properties on the line would have a full assessment until more of the properties are built. R. Prinz stated that other developers in the past have run their own sewer lines and then have given ownership of the lines to the WPCA. W. Charles Utschig stated that there should be a proposal for a gravity extension to serve as many properties as possible. R. Prinz stated that a change to the sewer service map also requires changing the Water Pollution Control Plan, which can be done only after a public hearing is held. R. Prinz stated that the Commission would need to add this area to the map or at least add it to the future, potential sewer area. R. Prinz stated that if the property is not assessed, the property does not have a right to the sewer. W. Charles Utschig summarized if the properties are to be added to the map, they should be added as assessed, future expansion areas. Mr. McCoy stated that the properties are currently in the sewer avoidance area.

Chairman Malwitz left the meeting room at 8:50 PM. P. Kurtz entered the meeting at 8:51 PM. Chairman Malwitz returned to the meeting room at 8:51 PM. Chairman Malwitz suggested that the properties in the incentive zone be put on the map, and the WPCA discuss creating a plan for the gravity sewer extension, particularly in regards to the engineering estimate of the cost to run the gravity line. Mr. McCoy stated that the developer is attempting to have a shorter approval period, to which there could be a benefit to the applicant to build a private pump station. Mr. McCoy stated that the first step is to have the property removed from the sewer avoidance area. Chairman Malwitz mentioned that one potential option is to build the infrastructure properly, and request that the WPCA assume ownership of the system. R. Prinz mentioned that that the project will need an 8-24 referral approval. Chairman Malwitz stated that he believed that the Commission had the option of changing their map to include these properties without holding a Public Hearing. Chairman Malwitz suggested that a motion be made to change the map to include the properties that are located in the incentive housing zone on the sewer service map. There was no motion. K. McPadden reviewed the sewer extension application process as depicted in the regulations, section 4.2. The applicant will write a letter to the WPCA and will submit a preliminary design to request amendment of the service area to include the properties. K. McPadden noted that per the zoning regulations, the incentive housing zone is subject to change.

The Commission moved back to agenda item 5, Engineer Comments/Project Update.

5. Engineer Comments/Project Update

- a. Proposed High Meadow, Ledgewood & Newbury Crossing Sewer Project Update – W. Charles Utschig stated that Langan was before the Inland Wetlands Commission on Monday night. There are three new Board members on the Wetlands Commission who would like to become a bit more familiar with the project. W. Charles Utschig reported that the Commissioners would like to see the site and become more familiar with the plans. He stated that he anticipates that by March 10th, the modification would be approved by the Inland Wetlands Commission. The bid documents are scheduled to go out on March 31st, and the bid award is scheduled for the April meeting.
- b. GIS Update – Chairman Malwitz stated that he has been in touch with Scott Sharlow, who will be purchasing two Panasonic Tough Books at approximately \$1,800 each. This technology would allow the information on inspection to be logged at real-time. Chairman Malwitz explained that reports about grease trap inspections and manholes would also be available with

the GIS system, and Scott Sharlow is in the process of creating the proper forms for information input.

- c. Rollingwood Gravity Sewer – Chairman Malwitz stated that he had attended a meeting of the Rollingwood Association. Jim Banno, property manager of Imagineers, was present at the meeting. Chairman Malwitz explained that their attorney will be writing to Attorney Sienkiewicz to request sewer connection for these properties. Chairman Malwitz stated that the easements will need to be obtained first for the project at Sandy Lane and between his two buildings now known as 28 Old Grays Bridge Road. K. McPadden stated that the owner of these properties is concerned with his parking lot, which was just completed. Upon inquiry of how this line will be paid for by R. Prinz, Chairman Malwitz stated that most likely a bond for ten years would be obtained. R. Prinz asked Chairman Malwitz when he would like the project completed, and Chairman Malwitz replied that the first matter is to obtain the easements required for the project. W. Charles Utschig noted that the planning of this project (bid documents, approvals, and easements) would require approximately a year to compile. K. McPadden will follow up with Attorney Sienkiewicz regarding the easements.
- d. DelMar Drive Project Paving Issue –K. McPadden reviewed the minutes of the last meeting and stated that W. Charles Utschig was to schedule a meeting with Mr. Tedesco and invite R. Prinz to discuss this matter. R. Prinz stated that the original agreement was that the WPCA was to contribute approximately \$38,000 and the contractors who did the water line would also contribute some money for the completion of the roadwork. W. Charles Utschig stated that he will set up this meeting with Mr. Tedesco.
- e. Other Engineering Matters – There were no other engineering matters.

6. Legal Matters

- a. Birdsall Engineering Bankruptcy – This item was continued from the January meeting at the request of Atty. Sienkiewicz, and is tabled until the March meeting.
- b. Berkshire North Agreement – R. Prinz stated that a survey has been done of the property, and the WPCA will gain approximately 70 units from this new building.
- c. Commerce Drive Sewer System Acquisition – Chairman Malwitz stated that all easements are in place and the WPCA now owns the Commerce Road system and pump station. R. Prinz stated that he and D. Will cleaned the system this week and will continue to upgrade the pump station as needed, with the money to come from the \$26,000 that was received from the owners of the Commerce Road properties. Langan Engineering will draw up bid documents for the upgrade work. R. Prinz stated that the plan is to spend an additional amount for the site work, such as tree cutting, pavement, lighting, and a fence.
- d. Danbury InterLocal Agreement – K. McPadden will follow up with Attorney Sienkiewicz regarding this matter, and it will be discussed at the next meeting.
- e. SEEC Complaint – Chairman Malwitz stated that this matter is regarding the post card that was sent regarding the High Meadow project. Chairman Malwitz stated that there was a fine to the former First Selectman, and the WPCA was advised not to repeat this action.
- f. Other Legal Matters – I. Agard stated that he has discussed the pension plan matter with B. Tinsley, who had noted that the matter with the pension is in the process of being resolved.

7. Maintenance Manager's Report – R. Prinz distributed and reviewed the Maintenance Manager's Report:

- 67 Federal Road Update – The equipment and electrical have been mounted, and he is awaiting warmer weather to install underground conduits and pick up devices. The completion target date is April 2014.
- R. Prinz mentioned that Community Development Director Katherine Daniel had noted that there may be grant funds, which R. Prinz suggested looking into for the Incentive Housing Zone. He mentioned that this matter may be something that the WPCA would like to look into.
- Water Pollution Facilities Plan – R. Prinz noted that this matter remains an open item, but is a CT DEEP requirement. According to the requirement, the WPCA is to have a sewer map, Water Pollution Control Plan, and a Facilities Plan.
- Maintenance Capital Budget – R. Prinz reviewed the proposed 2015 Capital Projects Budget, which he and S. Welwood have been working on.

- Colonial Shopping Center – The owner is looking for a modification to the grease trap pumping schedule. Currently, the pumping is required once monthly. D. Will stated that he does not recommend any changes to this schedule, considering the small size of the grease trap and the 3 restaurant uses of the building. The owner of the property was unable to attend tonight’s meeting, but will attend next month.

8. Other WPCA Business

- a. 2014/2105 Budget (Draft) – This item was discussed earlier in the meeting.
- b. Employee Handbook – Chairman Malwitz stated that T.E. Lopez and P. Kurtz had worked together on revisions to this book. Chairman Malwitz suggested that the employees review the handbook this month. Chairman Malwitz stated that he had added some notes about the use of vehicles and email.
- c. Phosphorous Group Update – Chairman Malwitz noted that this matter is regarding the algae blooms in Candlewood Lake and Lake Lillinonah. After a three-day rain period, there is not much phosphorous, and after a ten-day dry period, there are elevated levels of phosphorous. This phosphorous is coming down north from the Housatonic River into Lake Lillinonah. Chairman Malwitz stated that he had been to a State meeting on Monday regarding this matter. Chairman Malwitz explained how this project relates to the WPCA and sewer. An explanation is also on the WPCA website.
- d. Town Pension – K. McPadden asked about the resolution that had been given to the Board of Selectmen regarding the pension. I. Agard stated that this matter will be resolved, or has already been resolved. I. Agard mentioned that he will follow up with Bill Leverage regarding this matter. Chairman Malwitz stated that by June 2015 of next year, the Town has to alter the balance sheet, and Chairman Malwitz asked I. Agard to find out if the WPCA’s balance sheet would likewise change.
- e. Restaurant Use Fees – K. McPadden stated that at the last meeting the maximum occupancy of each of the restaurants had been discussed, but a list is not kept by the Fire Marshal’s Office. K. McPadden stated that she will make a spreadsheet to compare what the current usage charges are based on the regulations. K. McPadden stated that there have been some concerns from restaurant owners regarding their use fees. Chairman Malwitz mentioned that when more restaurants have water meters and are connected to the water line, this will offer the WPCA another method of monitoring the data.
- f. Amend WPCA Map to include Incentive Housing Overlay Zone – This item was discussed earlier during the meeting.
- g. Other WPCA Business – There was no other WPCA Business at this time.

9. Vouchers

K. McPadden stated that she has signed the WPCA up for direct debit payment for CL&P, AT&T & Yankee Gas bills. The Commission reviewed the vouchers. **L. Trojanowski-Marconi made a motion to accept the vouchers as presented. P. Kurtz seconded the motion, and it carried unanimously.**

10. Adjournment

L. Trojanowski-Marconi made a motion to adjourn at 10:18 PM. P. Kurtz seconded the motion, and it carried unanimously.