

BROOKFIELD WATER POLLUTION CONTROL AUTHORITY

Wednesday, May 28, 2014 Room 133 7:00 p.m.

APPROVED MINUTES

1. **Convene Meeting**: Chairman Malwitz called the meeting to order at 7:00 PM with the following in attendance:

WPCA

N. Malwitz, Chairman
L. Trojanowski-Marconi, Vice Chair
T.E. Lopez
I. Agard
P. Kurtz, Alternate
P. Beccaria

Others

R. Prinz, Maintenance Manager
D. Will, Inspector
J. Sienkiewicz, Attorney
W. Charles Utschig, Engineer of Langan Eng.
E. Cole Prescott, Recording Secretary

2. **Approval of Minutes** – 4/23/14 – **L. Trojanowski-Marconi made a motion to approve the minutes. P. Beccaria seconded the motion, and it carried unanimously.**

3. **Correspondence**: There was no correspondence.

4. **Old Business**

- a. 4 Elbow Hill Road – Application to Connect – Atty. Sienkiewicz mentioned that this application had been conditionally approved at the last meeting. He noted that the Chair had been authorized to sign the approval letter subject to approval of the engineer and attorney. Chairman Malwitz signed the approval document.

- b. 857 & 857A Federal Road Building #1 – Application to Connect (Green Acres)
- c. 857 & 857A Federal Road Building #2 – Application to Connect (Green Acres)
- d. 857 & 857A Federal Road Building #3 – Application to Connect (Green Acres)
- e. 857 & 857A Federal Road Building #4 – Application to Connect (Green Acres) –

M. Lillis of CCA Engineers was present for discussion of this application. Mr. Lillis stated that the plan had been revised, and copies of the revisions had been sent to the WPCA office. W. Charles Utschig acknowledged receipt of the plans. Mr. Lillis explained that building four will be connected to the southern-most manhole on the property. The grease trap will be connected for this building. The connection of building three will use the existing lateral, and does not require a grease trap. Buildings one and two will have a six-inch tapping saddle and eccentric reducer that will allow the size of the pipe to increase ten feet from the Town's line to accommodate the slope on site. Upon inquiry from Atty. Sienkiewicz regarding the easement, Mr. Lillis responded that any easement be negotiated with his client, Brookfield Development LLC. Mr. Lillis stated that he believes the State will also require an easement. Atty. Sienkiewicz noted that there should be a condition that the apartment units not be converted to condo units without approval from the Authority. Atty. Sienkiewicz will contact Mr. Lillis's client regarding the easement matter. **L. Trojanowski-Marconi made a motion to approve the project [857/857A Federal Rd Buildings 1, 2, 3, 4] contingent upon final engineering review and subject to the condition that it not be converted to the condominium form of ownership without coming before the WPCA [for approval]. P. Baccaria seconded the motion, and it carried unanimously.**

- f. 328 Federal Road – Application to Connect (Lavelle) – *Bill Coffey of Pembroke Pumping, was present for discussion of this application.* Mr. Coffey stated that he has discussed this application with Mr. Charles Utschig, and the last item he had sent to Mr. Utschig was the information about the hair interceptor. W. Charles Utschig stated that a waiver of the grease trap requirement had been requested, and Langan added a condition that any future change of use would need to be approved by the Authority. He stated that this information was contained in a letter dated May 23, 2014. Mr. Coffey stated that the tenant is currently on the line in another location in the Town (640 Federal Road) and will now be moving to this location (328 Federal Road). Upon inquiry from R. Prinz, Mr. Coffey replied that inspection money had been submitted. **L. Trojanowski-Marconi made a motion to approve the application to connect subject to the conditions set forth in Langan's letter dated May 23, 2014. P. Beccaria seconded the motion, and it carried unanimously.**

g. 57 Laurel Hill Road – Application to Connect – *S. Sullivan of CCA, LLC was present to discuss this matter.* S. Sullivan stated that he is in receipt of a letter from Langan. He stated that Atty. Sienkiewicz had also emailed him a draft of the maintenance agreement, which S. Sullivan has forwarded to the applicant’s attorney. Atty. Sienkiewicz noted that this building does not fall under the definition of a community sewer system because one building with thirteen residential units is proposed. Atty. Sienkiewicz also noted that a maintenance agreement is required because a pump station will be used. Atty. Sienkiewicz stated that his recommendation is that the association is required to set aside a reserve fund for maintenance of the system. The Commission reviewed the draft maintenance agreement; specifically in reference to 9.b. **L. Trojanowski-Marconi made a motion to table this application. T.E. Lopez seconded the motion, and it carried unanimously.**

5. New Business - None

6. Accountant Reports

a. Financial Reports – Receipt of the report was acknowledged. Chairman Malwitz briefly reviewed the financial report.

b. Transfer for Contribution to Capital Projects – Chairman Malwitz explained that there are two unrestricted funds, but for accounting purposes these accounts have been historically considered one by the auditors. Chairman Malwitz explained that the audit report should reflect that money is reserved for capital spending, and not just for general fund spending; the move of \$500,000 from operating unrestricted fund to capital unrestricted fund is therefore proposed. **T.E. Lopez made a motion to transfer half a million dollars from Unrestricted Net Assets - Operating Fund to Unrestricted Net Assets Capital Fund. I. Agard seconded the motion, and it carried unanimously.**

c. Use of Invoice Cloud for on-line payments – Chairman Malwitz stated that he had received an update from K. McPadden, and June 1st billing is ready to be sent. The online system now would actually take the information from the Quality Data database, and only allows the payer to pay the oldest amounts due first. The credit card numbers are stored securely only by Invoice Cloud, and not by the WPCA.

d. Other Financial Matters – There were no other financial matters at this time.

7. Inspector’s Activity Report – D. Will presented the Activity Report.

- 18 Old Route 7 – D. Will explained that there is too much grease in the tank because it has not been pumped properly.

- Chick-fil-A [140 Federal Road] has started building, and 95% of the sewer line has been installed. The grease trap has been installed today. The grease trap is 1,000 gallons; the restaurant is planning a September opening.

- Newbury Village [901 Federal Road] is connecting the Grand Building in the back.

- Buzaid Building [227 Federal Road] – The connection had been dug up, and the potential issue with the plumbing has now been resolved.

- Surveys done this month include the Paper Store, Connecticut ConnCrete Works, and Tile America. Chairman Malwitz explained that a survey is when D. Will enters the site, determines the number of bathrooms, employees, and if there are any chemicals used, etc. Chairman Malwitz clarified that this information is used to ultimately determine the usage fee that is charged.

- 640 Federal Road Shopping Plaza – D. Will stated that he had an informal discussion with the owner about the possibility of changing the units above the Rustier Nail [640 Federal Road] into bed-sitters. There are ten offices above the first floor of the building.

8. Maintenance Manager’s Report – R. Prinz presented the Maintenance Manager’s Report.

- High Meadow Sewer Extension – The bid opening had been done on May 27th, and a bid under \$2 million has been received. The operational target date for this project is Fall 2014.

- Rollingwood Sewer Extension – The Sandy Lane easement is needed before the project can move forward.

- Laurel Hill North Extension – The developer had planned to construct a 1200’ gravity sewer at own expense. There was brief discussion about this property’s designation on the sewer map.

- Monitoring Upgrade at 67 Federal Road – The project is complete.

- 777 Federal Road: Pump Upgrade – Langan has done site visits and has plans of existing site.

This project would entail the replacement of existing pump control panels at the North Station and Railroad Pump Station.

- Commerce Road Pump Station Repairs – The underground and utilities investigation has been done, and the easement map and site plan have been completed by CCA. Langan will draw up a plan for proposed improvements.

- Caldor Pump Station Generator Replacement – The target date for completion of this project is Fall 2014.

- Del Mar Drive Extension – The permanent pavement issue has been resolved.

- A sewer facilities tour had been conducted for Commission members.

- Brooks Quarry – A site visit with CCA has been done, and the site plan will be updated to allow for sewer plans to be drafted.

- GIS – The tablets have been received, and Scott Sharlow will be readying them for use in the field.

9. Engineer Comments/Project Update

a. Proposed High Meadow, Ledgewood & Newbury Crossing Sewer Project – W. Charles Utschig stated that the bids had been opened on Tuesday, May 27th, and five qualified bids had been received. W. Charles Utschig stated that the low bidder was Earthmovers at approximately 1.9 million, and the next lowest bidder was True Blue Environmental, which came in at approximately \$2.23 million. W. Charles Utschig reviewed the bids received with the Commission. He stated that Earthmovers’ bid has been reviewed, and there were some math errors of up to \$147. This contract calls for the WPCA to buy the pumps directly from the supplier, and the goal is to have all the pumps in the WPCA system to be the same. Therefore, there is some cost on top of this bid amount. T.E. Lopez asked how reliable Earthmovers has been in this Town. R. Prinz stated that Earthmovers does good work. Chairman Malwitz noted that a meeting is planned with the contractor regarding the timeline. W. Charles Utschig explained that all the areas for this entire project do not need to be started and stopped at the same time. Mr. Utschig noted the importance of establishing clear lines of communication between the associations and the WPCA. T.E. Lopez asked if he can discuss this pump station detail with the association, with which he has a meeting tomorrow. **L. Trojanowski-Marconi moved to award the contract to Earthmovers, Inc in accordance with their bid, which totaled \$1,916,912.69 subject to receipt of the properly executed license agreements from the three condominium associations [Ledgewood, High Meadow/Carriage Homes, Newbury Crossing Condominiums] and subject to the receipt of the easements, which are anticipated within the next fourteen days. *There was no second to this motion.***

L. Trojanowski-Marconi made a motion to award the contract for the amount stated above [\$1,916,912.69], having been duly reviewed by the engineers, to Earthmovers as the low bidder. P. Kurtz seconded the motion, and T.E. Lopez recused himself from this vote. The motion carried, 5-0, with T. Lopez not voting.

P. Kurtz asked where this job may run over financially, and Mr. Utschig replied that rock could be the most expensive. R. Prinz reviewed that rock from Earthmovers is lower than the other bidders, and reviewed the price for rock in the bids. R. Prinz noted that the filling of the old septic tanks is also a high expense.

Atty. Sienkiewicz stated that Newbury Crossing has requested that rather than completing the final paving and the patching, the condo association would like to have the money for the final paving, and then to add their funds to it to pave the entire road. Chairman Malwitz recommended that the WPCA give the money after the entire paving has been finished. P. Kurtz suggested that the money be held somewhere in escrow. Atty. Sienkiewicz noted that he will discuss this matter with the association.

Atty. Sienkiewicz also mentioned the need for the permanent maintenance agreement. T.E. Lopez stated that the WPCA is currently holding \$15,000 in escrow for this project.

W. Charles Utschig stated that the wetlands approval for the bond amount of \$7,500 has been received for the plantings. The bond now needs to be posted.

b. Rollingwood Gravity Sewer – Chairman Malwitz stated that the Commission is waiting on Atty. Sienkiewicz to complete an easement agreement with the Sandy Lane HOA.

c. DelMar Drive Project Paving – R. Prinz stated that the road is not yet paved.

d. Review of Project List 2014-15 – W. Charles Utschig stated that he had been asked to compile proposals for bid projects to help to move the projects on the list along. R. Prinz stated that he would like to get the Commerce Road project moving. Mr. Utschig stated that most of these projects are update/repair jobs.

Commerce Road – W. Charles Utschig stated that there are two pieces to this bid document – one for fundamental repairs (base bid), and another for additional repairs such as control panel, fencing and landscaping (ad-alternate). **L. Trojanowski-Marconi made a motion to approve the engineering work not to exceed \$7,500 for the Commerce Road pump station [upgrade]. P. Beccaria seconded the motion, and it carried unanimously.**

Brooks Quarry – Mr. Utschig also has a bid for a conceptual plan and estimated cost of construction for Brooks Quarry for a projection of cost and probable design.

Caldor Pump Station Generator – The proposal is to develop the plans for the outside generator, which would be a site plan for the pad, electrical drawings, and the design to be able to make the conversion from the current inside generator to an outside generator.

Federal Road Bridge over Route 7 – W. Charles Utschig noted that the thickness of the wall of the pipe is to be measured, and there will also be a proposal for a video for the pipe for the condition to achieve a full assessment.

e. Other Engineering Matters:

GIS – Chairman Malwitz stated that Scott Sharlow had been in the office today to move the project along. He will be preparing the notepads for field use and instruct the WPCA about how to use the system.

10. Legal Matters

a. Birdsall Engineering Bankruptcy – Atty. Sienkiewicz stated that he had prepared a proof of claim.

b. Berkshire North Agreement – Atty. Sienkiewicz stated that he has not yet revised this agreement.

c. Danbury InterLocal Agreement – Atty. Sienkiewicz had received some information from the Selectmen indicating that WPCA is authorized to act.

d. 20/28 Grays Bridge Road Easement – The WPCA is in the process of an agreement of an easement on this property.

e. Brookfield P&R Electrical Tie-In Irrevocable License – Atty. Sienkiewicz stated that he is waiting for plans from R. Prinz on this matter.

f. Other Legal Matters

BRT Barnbeck – Atty. Sienkiewicz stated that this extension had been requested and approved a couple of months ago, and it was left to Atty. Sienkiewicz to review the plans.

A letter has been received asking the WPCA to petition the Governor to veto a bill. There was some discussion regarding this bill, which purpose is to allow Towns to create an ordinance to allow the Zoning Board of Appeals to hear local WPCA benefit assessment appeals. No action.

11. Other WPCA Business

a. FY2015 Budget – Chairman Malwitz mentioned that the Commission has not received any feedback from the Board of Selectmen relative to the budget, which if comments were to be received, were due earlier this month according to Town ordinance.

b. Sewer map amendments – *discussed as part of item c, below.*

c. Regulation amendments –

Atty. Sienkiewicz mentioned some of the regulations which the WPCA may want to consider changing in the future. These topics include the permit extension time frame, the reserve fund for properties served by a private pump station. Atty. Sienkiewicz noted that he had also received some proposed revisions from K. McPadden. Proposed revisions and topics will be sent to Atty. Sienkiewicz. The possibility of holding a public hearing in July was also mentioned.

d. Sewer Waterline Extension at Four Corners – Chairman Malwitz stated that he had gone to the Board of Selectmen meeting this month regarding this matter. Even in the utility box under the bridge is only for adding wires, and nothing of liquid. I. Agard asked what the next step is at this point, and Chairman Malwitz noted that the Commission needs to determine who should help prepare the grant.

e. Staff Review Process – Chairman Malwitz noted that this is in process, and the reviews are due on May 30th. He is waiting for S. Welwood's and Atty. Sienkiewicz's feedback for the reviews.

f. Other WPCA Business –

Chairman Malwitz mentioned that First Selectman Bill Tinsley is planning to ask the chairmen of the land use Boards to come together to meet informally. Separately, Chairman Malwitz stated that he met with the Community Development Director Katherine Daniel and came up with a road map for applicants for business expansion or development in the Town. Chairman Malwitz noted that the Economic Development Commission website is now up and this road map is available on this site (brookfieldedc.org).

12. Vouchers: The Commission reviewed the vouchers. L. Trojanowski-Marconi made a motion to accept the vouchers as presented. P. Beccaria seconded the motion, and it carried unanimously.

13. Adjournment: L. Trojanowski-Marconi made a motion to adjourn at 9:55 PM. P. Beccaria seconded the motion, and it carried unanimously.

*** Next meeting scheduled for June 25, 2014 ***