

## BROOKFIELD WATER POLLUTION CONTROL AUTHORITY

Wednesday, July 23, 2014 Room 133 7:00 PM

### APPROVED MINUTES

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

WPCA

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

Others

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

2. **Approval of Minutes** – 06/25/14; 06/11/14 and 07/08/14 Special Meetings:  
06/25/14 – **T.E. Lopez moved to accept the minutes. I. Agard seconded the motion, and it carried unanimously.**

06/11/14 & 07/08/14 special – **T.E. Lopez made a motion to accept the minutes of 07/08/14 and 06/11/14. I. Agard seconded the motion, and it carried, with Chairman Malwitz, I. Agard & T.E. Lopez voting.**

07/09/14 special – Chairman Malwitz noted that there was no quorum for this meeting, but the notes of the High Meadow project informational meeting will still be posted to the website.

3. **New Business**

a. 434 Federal Road – Application to Connect – *S. Sullivan of CCA Engineers was present for discussion of this application.* S. Sullivan noted that this will be a single building connection through the existing stub. He noted the location of the address is a vacant piece to the right of Nordex (426 Federal Road) and across the street from The Dive Shop. S. Sullivan noted that a grease trap is shown on the proposed plan. The average flow is proposed at 240 gallons per day. **L. Trojanowski-Marconi made a motion to accept the application, and T.E. Lopez seconded the motion. The motion carried unanimously.** The application will be sent to Langan Engineering for review. Atty. Sienkiewicz noted that the properties in this location had been subdivided, and the assessment would need to be adjusted to reflect the division of the lots. *See amended motion, below.*

b. Newbury Village – Additional 9 Units – *S. Sullivan of CCA Engineering was also present for discussion of this application.* Chairman Malwitz recused himself and L. Trojanowski-Marconi acted as Chair for discussion of this application. S. Sullivan stated that the developers are contract purchasers of the adjacent property, 891 Federal Road. This property is approximately 5 acres, and the developers would like to incorporate 2.1 acres into the existing Newbury Village. The application is to add nine additional townhouse units. Atty. Sienkiewicz mentioned the judgment lien on the property as well as the WPCA regulation, which does not allow the WPCA to approve applications for properties that have delinquent charges due to the WPCA. Atty. Sienkiewicz read the regulation relative to the issuance of sewer connection application approvals and delinquent charges due to the WPCA. K. McPadden reported the remaining amount due through the end of July. Atty. Sienkiewicz stated that an amendment to the sewer maintenance agreement will need to be done. He asked S. Sullivan for a cost estimate for the new extension. **T.E. Lopez moved to accept the application [Newbury Village – 9 additional units]. P. Beccaria seconded the motion, and it carried, with N. Malwitz not voting.**

**P. Kurtz made a motion to amend the motion to set the fees of \$1,500 for legal, \$1,200 for engineering and \$2,500 for inspection [for the accepted application – Newbury Village, additional 9 units]. I. Agard seconded the motion, and it carried, with N. Malwitz not voting.**

a. 434 Federal Road – Application to Connect – Chairman Malwitz re-convened as Chair for the remainder of the meeting. **L. Trojanowski-Marconi made a motion to amend the previous motion on acceptance of the 434 Federal Road application to include [set] the inspection and engineering fees of \$1,350, (\$750 for engineering and \$600 for inspection fees). I. Agard seconded the motion, and it carried unanimously.**

**L. Trojanowski-Marconi made a motion to add 57 Laurel Hill Road, Kenosia Development, as an old business item on the agenda. P. Kurtz seconded the motion, and it carried unanimously.**

c. 57 Laurel Hill Road – *Ellis Tarlton of Kenosia Development was present for discussion of this matter.* Atty. Sienkiewicz stated that he would like to have the cost estimate sooner rather than later. S. Sullivan stated that he has sent the survey map to Atty. Sienkiewicz. Atty. Sienkiewicz also mentioned that he has drafted a document that accounts for the land being owned by a company, but the units owned by the individual owners. The language will be drafted that as certificates of occupancy are pulled for each unit, there will be one-thirteenth of the deposit for the sewer maintenance agreement submitted to the WPCA. There will be a certificate of occupancy issued for each unit. The developer would be required to obtain an approval with the WPCA office before the certificate of occupancy is issued. The approval letter cannot be issued until the stipulations have been met.

#### **4. Old Business**

a. Brooks Quarry Project – *Michael Steele, Vice Chair of the Brookfield Housing Authority, was present to discuss this project.* Mr. Steele presented the drawing (feasibility study) that had been prepared by Langan and paid for by the Brookfield Housing Authority. He stated that it is the intention of the Brookfield Housing Authority to request a bid package and to also submit a small cities grant application for funding to move forward with this project. T.E. Lopez asked how the easements will be considered. W. Charles Utschig explained that this first step was for a feasibility study and also for a cost estimate. The Brookfield Housing Authority is a state-supported public funding authority. Mr. Steele stated that the grant process gives preference to shovel-ready projects. An easement would need to be granted and a bill of sale done for the system, in order to convey ownership of that system to the WPCA. Atty. Sienkiewicz stated that the applicant would need to apply to the WPCA for a sewer extension application if they were to move forward with this project. Atty. Sienkiewicz also stated that if the Town is to take over the system and it be treated as a privately built sewer extension, the application for this matter would need to be sent as an 8-24 referral to the Planning Commission and to the Board of Selectmen. The application for design would also need to be approved by the WPCA, and by the State. K. McPadden noted that she had received an inquiry from the owner of Simpson & Vail regarding their possible connection to the sewer line. Mr. Steele asked if either the Commission or Langan can prepare a bid package. W. Charles Utschig stated that the requirements of the grant would need to be considered. He noted that depending on how funding is done, the engineering may also need to be competitively bid. Atty. Sienkiewicz asked if the plan is to build additional units, and Mr. Steele stated that the area below is a 10-year floodplain, so funding is not available for the construction of additional units on the site.

#### **5. Accountant Reports**

a. Review of District Annual Cash Projections (including re-assessment of Federal Road North) – S. Welwood reviewed the district annual cash projections with the Commission. She explained that because of the increase in projects around Town, \$14.5 million has been added to the grand list in value. S. Welwood stated that she thinks it is important for the Commission to consider future upgrades to the area when considering the assessment percentages.

b. Review of Cash Account Listing – S. Welwood distributed the cash account listing to the Commission. Chairman Malwitz thanked S. Welwood for this information.

c. Other Financial Matters – S. Welwood stated that she is doing the full year 2014 package in August, and in September there will be a July-August year-to-date, so the first monthly report for the fiscal year will be given to the Commission in September.

6. **Inspector's Activity Report:** D. Will presented the Inspector's Activity Report:
- 18 Old Route 7 – The grease trap was pumped this week. It is now on a scheduled pump program with Lathrop Septic.
  - The manhole and connection of the third Coach Homes building has been done at Newbury Village.
  - Surveys done this month include: The Pottery Factory at 265 Federal Road; Babu's Jerk Joint at 537 Federal Road; No Frills Good Deals at 594 Federal Road; Guitar Hangar at 270 Federal Road.
  - Stony Hill Pump Station – D. Will explained the following regarding this matter: An underground power line had failed. The station was connected to a generator. On Monday after July 4<sup>th</sup>, United Concrete was able to have pump two running; by Tuesday pump one and two were running. On Friday, the repairs were complete. The cost estimate for this repair is \$8,000 in parts, labor, but final construction numbers have not yet been received. A claim is initiated with the Newtown CL&P office to recover some of the costs for damage due to the power failure. D. Will is also working to put a cost estimate together to install a high and low voltage phase monitoring on this station.
7. **Maintenance Manager's Report:** R. Prinz presented the Maintenance Manager's Report:
- Rollingwood Sewer Extension – Atty. Sienkiewicz mentioned that he had made an easement offer to Sandy Land Condominiums, but has not yet heard from the association.
  - Laurel Hill North Extension (101/103 Laurel Hill Road) – The developer is working with Town boards.
  - Brooks Quarry Sewer – It is Mr. Prinz's opinion that the two commercial properties on Quarry Road should be considered for addition to the sewer line.
  - High Meadow Sewer Extension – An updated, two-week outlook from the contractor has been received. The construction etiquette letter has been sent to the associations, after a meeting with the Boards had been done. The letter is also posted online.
  - Federal Road Sewer Improvements, Commerce Road Pump Station Repairs, and Caldor Pump Station Generator Replacement – These projects are all in the engineering phase.
  - New transducers are needed for North and 777 Federal Road Pump stations.
  - Del Mar Drive Extension – The maintenance period expires on September 14<sup>th</sup>. R. Prinz noted that the project should be closed out.
  - Water Pollution Control Plan – The plan is currently under revision. Atty. Sienkiewicz replied that he has drafted a revised Water Pollution Control Plan. The sewer map is also under revision.
  - Water Pollution Facilities Plan – There is no action on this matter.
  - Stony Hill Village – R. Prinz described the power failure that D. Will had reviewed with the Commission during the Inspection Report. Final costs will not be known until the bills are received.
  - 227-235 Federal Road (Buzaid) – The building is complete. R. Prinz noted the height of the building and the pitch of the line. R. Prinz noted that the owner of 227-235 Federal Road should be sent a letter regarding the installation of a backflow preventer, due to the slope of the main line, as installed. W. Charles Utschig noted the invert of the plumbing coming out of the building ended up deeper than expected. K. McPadden will work with R. Prinz to write a letter to the owner. W. Charles Utschig noted that the system was not built according to the approved plans, was reviewed by the applicant's engineers, and any backflow to that building is not the responsibility of the WPCA. W. Charles Utschig noted that the WPCA may want to just inform the owner of the issue in writing.
  - The Tough books to be used to report maintenance matters and inspections were launched this week.
  - Lavelle's Stone house (328 Federal Road) and dog groomer connected to the Old New Milford Road line.

**8. Engineer Comments/Projects Update**

- a. Brooks Quarry Project – Preliminary Cost Update – W. Charles Utschig stated that the cost update has been finished.
- b. Route 7 Overpass Evaluation – W. Charles Utschig reported that the first step is to evaluate the pipes. W. Charles Utschig stated that he will work with R. Prinz to get the video and the cleaning work done. R. Prinz suggested that the Commission designate a not-to-exceed amount for the video and cleaning of the pipes. R. Prinz estimated the cleaning and video work at \$20,000. R. Prinz reviewed proposed expense to do this work. The budget amount for this work is \$20,000. R. Prinz and W. Charles Utschig will obtain two quotes to have this work completed.
- c. Generator – W. Charles Utschig reported that Langan has started this design package work, and plans to have the design packages complete before the end of this month (July 2014).
- d. GIS System Modeling – W. Charles Utschig stated that information had been turned to shape files, which can be downloaded for use in a program known as Sewer CAD. Langan will most likely have a further update for the Commission at the next meeting.
- e. Three pump station upgrades: North, 777 Federal Road, Railroad – The pump station bid packages will be ready for 777 Federal Road before the end of the month.
- f. Other Engineering Matters: High Meadow – W. Charles Utschig stated that he believes the condo meeting went well, and the schedule online should be updated every two weeks. W. Charles Utschig explained that the power company has suggested that the meter be mounted on the building directly adjacent to the pump station, which saves the WPCA from having to go through Silvermine Road for power. Permission from the condo association has to be obtained in order to add this meter to the building. Atty. Sienkiewicz mentioned that the easement needs to be re-executed anyway. T.E. Lopez stated that he will work on this matter, if he is sent the information in an email. There is an individual pump station that will pump into the tank at the main pump. W. Charles Utschig will work with R. Prinz to determine the correct location to mount the controls. This is a pump station that will be re-built for building five, which will remain under the ownership of the association. W. Charles Utschig will send the information to T.E. Lopez, and also noted that CL&P will be asked about an alternative. Chairman Malwitz stated that every two weeks, a two-week look-ahead will be posted on the website. The contractor will communicate this to Langan, and then send to the WPCA for updating the website.

**9. Legal Matters**

- a. Berkshire North Agreement – Atty. Sienkiewicz reported that he will be drafting a maintenance agreement for this project.
- b. Danbury InterLocal Agreement – This matter is with the Danbury Public Works Department for review.
- c. Rollingwood Project Easements – Atty. Sienkiewicz stated that he has been in touch with Travis Hyatt, Rollingwood’s property manager, regarding this matter.
- d. Brookfield P&R Electrical Tie-In Irrevocable License – Atty. Sienkiewicz will work on this matter.
- e. 857/857A Federal Road, Greene Acres Maintenance Easement – Atty. Sienkiewicz stated that he will be working on this matter.
- f. Other Legal Matters:
  - o Barnbeck Place (398 Federal Road) – An extension of the permit had been granted, but at the time the building design, but not the sewer design, had been changed. Atty. Sienkiewicz stated that he had drafted a short amendment to the approval, but does not have it available tonight for Chairman Malwitz to sign.
  - o Water Pollution Control Plan – The Commission reviewed the map. Atty. Sienkiewicz reviewed the properties. Atty. Sienkiewicz mentioned that he is not specifically including the incentive housing overlay zone in the plan. Atty. Sienkiewicz mentioned some properties that perhaps need to have colors revised. K. McPadden and R. Prinz will review and revise the map, where appropriate. Atty. Sienkiewicz noted that the date on the map should be changed. Atty. Sienkiewicz also noted the resolution that had been passed to allow the staff to clarify any errors. Chairman Malwitz asked that Atty. Sienkiewicz forward a copy of this resolution to him. *See below motion.*

**10. Other WPCA Business**

- a. Sewer map amendments – *See motion in next agenda item.*
- b. Regulation amendments – Atty. Sienkiewicz reviewed proposed regulation amendments with the Commission, relative to section 1.12, section 1.2, section 2.0, and section 2.1.8. Chairman Malwitz stated that all town legal notices are now published in *The Penny Saver*. K. McPadden stated that this newspaper is a weekly publication. Atty. Sienkiewicz and K. McPadden reviewed possible publication dates. **L. Trojanowski-Marconi made a motion to submit the draft proposed amendments to section 1.12, section 1.2, section 2.0, and proposed new section 2.1.8, and also to submit the draft proposed Water Pollution Control Plan and the map to public hearing on August 27, 2014 [at 7:00 PM]. P. Kurtz seconded the motion, and it carried unanimously.**
- c. Flood Zone – K. McPadden asked that discussion of this matter be tabled to next month's meeting.
- d. Other WPCA Business –
  - o Email from the Board of Education: K. McPadden stated that she has received an email from the Board of Education, asking for a waiver of interest fees of \$942 for the late payments due to the WPCA. **Chairman Malwitz made a motion to approve the request to waive the fee. I. Agard seconded the motion. The motion failed, 1-4, with Alternate P. Kurtz not voting.**
  - o Discussion with workplace psychologist & HR Director – The Human Resources Director is working with the workplace psychologists, and is planning to work with the WPCA also. Chairman Malwitz mentioned that there had been a meeting regarding this topic.

**11. 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.**

**12. Adjournment: L. Trojanowski-Marconi made a motion to adjourn, and T.E. Lopez seconded it at 10:17 PM. The motion carried unanimously.**

**\*\*\*Next regular meeting scheduled for August 27, 2014\*\*\***