

## BROOKFIELD WATER POLLUTION CONTROL AUTHORITY

Wednesday, September 17, 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  
P. Kurtz  
P. Beccaria  
I. Agard  
T. E. Lopez

Others

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

#### **7:00 P.M. PUBLIC HEARING: 434-470 Federal Road - Merger, Separation and Re-Allocation of Benefit Assessments and Amended Notice of Installment Payment of Assessment of Benefits –**

Chairman Malwitz opened the public hearing and read the legal notice, which had been published in The Pennysaver. Chairman Malwitz explained that the purpose of this public hearing was to re-allocate the benefit assessments from the original Elwood Properties to the current owners, Minino Homes, Inc, Cirignano Limited Partnership #3 and New Milford Hospital. Atty. Sienkiewicz stated that there were originally two properties which had 4 benefit assessments. They were recently subdivided into five separate properties, and the benefit assessments need to be merged, separated and re-allocated. After reviewing the calculations, Chairman Malwitz asked for comments from the audience or the commission, but there were none. The public hearing was closed.

2. **Approval of Minutes** – 8/27/14 – **L. Trojanowski-Marconi made a motion to approve the minutes. P. Kurtz seconded the motion, and it carried unanimously.**
3. **Old Business**
  - a. 434 Federal Road – Application to Connect (request for extension) – *This item discussed below, agenda item 3.b.*
  - b. 891/901 Federal Road - Newbury Village – Additional 9 Units (request for extension) –\_An email was received and read from S. Sullivan, CCA Engineering, requesting that 434 Federal Road and 891/901 Federal Road both be extended and continued to next month. **L. Trojanowski-Marconi made a motion to accept the request for extension and to continue the matter [434 Federal Road application to connect & 891/901 Federal Road Newbury Village additional nine units] to October 22nd. P. Beccaria seconded the motion, and it carried unanimously.**
  - c. 57 Laurel Hill Road – Laurel Hill Townhomes – Atty. Sienkiewicz stated that he has not yet received the cost estimate for the system, which he needs to determine the required escrow amount for the maintenance account.
  - d. 434-470 Federal Road - Merger, Separation and Re-Allocation of Benefit Assessments and Amended Notice of Installment Payment of Assessment of Benefits – To discuss and act upon – K. McPadden stated that all of the property owners had received a certified letter with the calculation information attached. **L. Trojanowski-Marconi made a motion to approve the merger, separation and re-allocation of benefit assessments for properties now known as 450 Federal Road, 460 Federal Road, 470 Federal Road, 468 Federal Road, and 434 Federal Road as set forth in the proposed certificate of merger, separation and reallocation of benefit assessment and amended notice of installment payment of assessment of benefits. T.E. Lopez seconded the motion, and it carried unanimously.**
4. **Accountant Reports, including review of new report package**

- a. August Financials – S. Welwood presented the August Financials and reviewed the newer format with the Commission.
- b. Three Condo District Assessment Rate Change – S. Welwood reviewed the Three Condo Assessment Analysis at July 1, 2014. Based on the additional properties being added to the district, S. Welwood stated that perhaps it is time to lower this assessment from 7.14 to 6.5%. **L. Trojanowski-Marconi made a motion to go forward with the reduction of the benefit assessments on the Three-Condo Project to 6.5% of the assessed value versus 7.14%. P. Beccaria seconded the motion, and it carried unanimously.**
- c. Proposed Assessment Billing Date Changes – S. Welwood and M. Ongaro presented a table entitled “Effect on Billings for the Move of Assessments to June 1” to the Authority and recommended that all assessment billings be moved to June 1<sup>st</sup> each year. Chairman Malwitz stated that the target meeting for the public hearing should be February, and the letters to explain the change should be sent with the December billings. K. McPadden will work on these letters to each district.
- d. Other Financial Matters – S. Welwood stated that she has not heard from the Auditors. S. Welwood stated that she will address any questions the auditors have, provided she is contacted.

**5. Inspector’s Activity Report:** D. Will presented the Inspector’s Activity Report:

- Four grease trap inspections have been done this month.
- D. Will is continuing to follow up with CL&P regarding the Stony Hill Road brown-out matter. He is also awaiting a bill from United Concrete.
- Chick-fil-A (140 Federal Road) is planning a soft opening on October 7<sup>th</sup>.
- Oak Meadows (540 Federal Road) is continuing construction on phase two.
- The sewer line crossing at the YMCA has been completed by Yankee Gas.
- Jason Sivo has begun construction of the Elbow Hill Road (4 Elbow Hill Road) sewer extension.
- D. Will reported that he is filling in as needed for the High Meadow Road Project.
- One of the surveys completed this month was for La-Z-Boy (227 Federal Road), which will result in an additional eight units.
- Easement clearings will commence next Monday.
- D. Will was approached about the land between Cedarbrook Condos and Whisconier Village by Dr. Gish, about whether sewer service is available for the property. The applicant may be coming in for an informal discussion, but the commission agreed that he will need to go to the State for approval since the grant money used for the 3-condo project specifically prohibited additional residential connections.
- D. Will reported that there has been an issue with the generator transfer switch at the Stony Hill Pump Station, and parts have been ordered.

**6. Maintenance Manager’s Report:** R. Prinz presented the Maintenance Manager’s Report.

The High Meadow project has been taking much of his efforts this month. The work had started after the last meeting, and today there had been four stream crossings done. There is a wetlands stipulation to complete all of the wetlands work in August and September. The force main has been run from Newbury Crossing’s septic field up to the edge of the road. Conditions have been dry, and the rock numbers coming up the hill below Newbury Crossing have added up to 25 yards, and 18 yards in another location, which is below the amount originally estimated. R. Prinz stated that another cost saving is to delete a doghouse manhole in the street and to allow the discharge into an existing manhole, which saves approximately \$7,000. The surveying was done by aerial survey so some of the topographical calculations are a bit off. The pipe elevations do not change, but the surface elevations are a bit different. It is the contractor’s obligation to verify this information. R. Prinz noted that he will follow up on a damage claim, and work with the contractor to resolve the matters. R. Prinz asked Atty. Sienkiewicz if the pavement numbers were adequate, and Atty. Sienkiewicz stated that he had drafted a proposed agreement with Newbury Crossing. R. Prinz stated that Newbury Crossing has requested money for the permanent pavement instead of having the WPCA’s contractor complete the final paving. R. Prinz stated that the easement has not been

signed for one of the properties. Phase one of the project is almost complete. R. Prinz stated that he has some pictures of the area. There are total claims for \$129,000, of which \$89,000 are requested as part of this evening's vouchers.

R. Prinz stated that the specifications and contract are ready for the Caldor and the Commerce projects, and the request for proposals will begin this month. R. Prinz asked Atty. Sienkiewicz what the threshold amount was in order to require prevailing wage. Atty. Sienkiewicz believes it is \$100,000, but he will confirm that number with Mr. Prinz.

R. Prinz stated that he and D. Will are both quite busy, and winter is approaching. R. Prinz explained that the pump stations need winterizing. He and Mr. Will are willing to work on Saturdays to prepare the pump stations for the winter months. R. Prinz stated that perhaps two of the smaller pump stations could be done in one day's worth of work, but each larger station will most likely require one day each. It is noted that the Commission is fine with Mr. Prinz and Mr. Will working on Saturdays in order to prepare the pump stations for winter, noting that they will be paid overtime at time and a half over 40 hours.

## 7. Engineer Comments/Project Update

- a. High Meadow Project Update – W. Charles Utschig stated that Langan is involved in making sure the shop drawings are reviewed and processed. W. Charles Utschig stated that one of Langan's inspectors will also be available to inspect the site. Langan is providing support as needed to R. Prinz.
- b. Route 7 Overpass Bid Review – The bid package for the testing of the force main over the Route 7 bypass will be finalized and sent out to qualified contractors for the video and cleaning work within the next two weeks.
- c. Generator Design Package – W. Charles Utschig stated that these bid projects for the Caldor Pump station and the Commerce Road Pump Station will be sent to Atty. Sienkiewicz for his review. There will be a request for proposal for these projects, as they are system maintenance projects. The goal is to have three qualified bids. Atty. Sienkiewicz clarified that the WPCA will have to approve any contract for work. W. Charles Utschig clarified that the current plan is to use consistent engineering for the three pump station upgrades.
- d. GIS System Modeling – Langan has someone dedicated to work on the manipulation of the information, and some version of the model will be done for the next meeting.
- e. Three Pump Station Upgrades: North, 777 Federal Road, Railroad – W. Charles Utschig has given R. Prinz the specifications for survey work. The design of the control system at High Meadow will be also used for this project, which will make maintenance and other required repairs easier.
- f. Other Engineering Matters

## 8. Legal Matters

- a. Berkshire North Agreement – Atty. Sienkiewicz reported that he has contacted Berkshire Corporate Park's attorney, regarding the maintenance agreement.
- b. Danbury InterLocal Agreement – The agreement calculated an annualized daily flow of up to 500,000 gallons per day. Atty. Sienkiewicz reviewed the history of the agreement with the Authority. Chairman Malwitz stated that the Board of Selectmen had authorized the WPCA to execute this agreement. Chairman Malwitz stated that it is useful to have an agreement, and the agreement extends the same terms. Chairman Malwitz clarified that this agreement takes into account the average daily flow for the year, not the peak daily flow during a high season. **L. Trojanowski-Marconi made a motion to approve the proposed extension agreement of the Danbury Brookfield Interlocal Sewer Service Agreement as proposed and to authorize the Chairman to execute the document on behalf of the WPCA. T.E. Lopez seconded the motion, and it carried unanimously.**
- c. Rollingwood Project Easements – Atty. Sienkiewicz stated that he had offered \$14,700 to Sandy Lane Condo Association for a 25' wide easement, which had been offered in a letter dated July 11<sup>th</sup>. The owner has no interest in granting an easement, due to the concern of loss of

privacy on the sides as development increases. Chairman Malwitz stated that without the easement the project could not be done by gravity, but would require a pump station. The Authority reviewed a map of the proposal. Atty. Sienkiewicz stated that he had calculated the number based on land valuations he could find in the area. A formal appraisal could be done to determine what the value of the actual property is. K. McPadden asked if a landscape architect could be hired to offer landscape options to enhance privacy in the easement area. Chairman Malwitz suggested that D. Will attend a meeting and discuss this matter with the Sandy Lane condo association.

d. Other Legal Matters – Discussion/no motions.

**9. Other WPCA Business:**

- Meeting with Human Resources Department: Chairman Malwitz stated that he, Tulio Lopez, Phil Kurtz and Irv Agard met with the Town's Human Resources Director in a Special Meeting on 9/5/14 to discuss an action plan to enhance the work environment. The first step of this plan is to ask the WPCA employees to review their job descriptions.
- Regulations: K. McPadden distributed an updated set of WPCA Rules and Regulations, as well as the WPCA Plan to the Commission.

**10. Vouchers:** R. Prinz asked that the Commission hold back \$1,500 from the Earthmovers check for the WPCA water line paving on Del Mar Drive. K. McPadden stated that the check printed for signature tonight will need to be voided and re-done. The Authority reviewed the vouchers. **T.E. Lopez made a motion to approve the vouchers as adjusted. I. Agard seconded the motion, and it carried unanimously.**

**11. Adjournment: Chairman Malwitz adjourned the meeting at 9:40 PM.**

\*\*\* Next meeting scheduled for October 22, 2014 \*\*\*