

# BROOKFIELD WATER POLLUTION CONTROL AUTHORITY

Wednesday, October 22, 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, Commission Attorney  
W. Charles Utschig, Commission Engineer  
M. Ongaro, Account Collection Specialist  
K. McPadden, Executive Administrator  
E. Cole Prescott, Recording Secretary

2. **Approval of Minutes** – 9/5/14 Special Meeting; 9/17/14 Regular Meeting  
09/05/14 – **I. Agard made a motion to accept the minutes. T.E. Lopez seconded the motion, and it carried unanimously.**  
09/17/14 – **T.E. Lopez made a motion to accept the minutes as presented. L. Trojanowski-Marconi seconded the motion, and it carried unanimously.**

**L. Trojanowski-Marconi made a motion to add as a New Business Item Brooks Quarry to the agenda. T.E. Lopez seconded the motion, and it carried unanimously.**

3. **New Business:**

- a. Brooks Quarry – *Rolf Enger of the Brookfield Housing Authority was present to discuss this matter.* Chairman Malwitz explained that Michael Steele had discussed this matter with the WPCA at a past meeting. Chairman Malwitz stated that the feasibility study has been done by the WPCA with funds from the Brookfield Housing Authority. The engineering estimate for the project is approximately \$336,000. Mr. Enger stated that the Housing Authority is applying for a Small Cities Grant.

*P. Kurtz entered the meeting room at 7:25 PM.*

Mr. Enger stated that the Housing Authority had been through the Board of Selectmen for approval of the submission of the grant application and the 8-24 referral recommendation to the Planning Commission. The Planning Commission has given a favorable recommendation of this 8-24 referral request to the Board of Selectmen. Mr. Enger stated that the process requires that a request for proposal be done for a grant writer. Mr. Enger mentioned that the Housing Authority has met with Larry Wagner and Associates about the grant-writing process. One of the prerequisites of the grant writing process as explained at the meeting with Larry Wagner and Associates is that pre-engineered drawings need more detail, and should be closer to bid-ready drawings. W. Charles Utschig suggested that once the grant writer is selected, Langan, with the permission of the WPCA, speak directly with the grant writer about the requirements for the engineering portion of the application. R. Prinz mentioned that after the WPCA has taken over the system, other properties could potentially connect to the line. Atty. Sienkiewicz suggested that Mr. Enger notify Larry Wagner that the Brookfield Housing Authority is an enterprise, and not an entity of the Town. Chairman Malwitz suggested that Mr. Enger return to the WPCA on November 19<sup>th</sup> with an update.

4. **Old Business**

- a. 434 Federal Road – Application to Connect – *Steve Sullivan of CCA Engineers, 40 Old New Milford Road, was present to discuss this application.* Mr. Sullivan stated that CCA submitted revised plans last week based on comments received from Langan Engineering. Mr. Sullivan explained that the proposal is for one connection at the south side of the building. There are floor drains on the floors, but there are no hazardous materials discharging to these floor drains. Mr. Sullivan stated that this proposal is for warehouse use. Mr. Sullivan stated that he is also submitting a grease trap waiver at tonight's meeting. According to Mr. Sullivan, the original

plan had a grease trap, but there are no facilities within the building which would require a grease trap. R. Prinz noted the floor drains. Atty. Sienkiewicz reviewed the regulations regarding the requirement of grease trap installation for all new construction. Mr. Sullivan stated that the floor drain is in the bathroom. Atty. Sienkiewicz mentioned that the use of the building could change in the future and that is the reasoning behind the grease trap requirement. Mr. Utschig responded that the grease trap requirement for new construction has generally not been waived.

- b. 891/901 Federal Road - Newbury Village – Additional 9 Units – *Steve Sullivan of CCA Engineers, 40 Old New Milford Road, was present to discuss this application.* Atty. Sienkiewicz stated that in March 2011 a developer's certified cost of \$156,567 was submitted with a \$20,000 estimated additional construction cost. These estimates were used to establish the amount of the escrow. Atty. Sienkiewicz reviewed several questions he has about this matter. K. McPadden also mentioned that fees are owed to the WPCA for the property located at 891 Federal Road. This application is continued to the November meeting.

## 5. Accountant Report

- a. September Financials – In S. Welwood's absence, the Commission reviewed the September Financials.
- b. Proposed Assessment Billing Date Changes – I. Agard asked for the status of this matter. Atty. Sienkiewicz stated that the Authority has a statutory obligation to file on the Land Records a payment plan to preserve the assessment. K. McPadden stated that when someone is given a benefit assessment, the owner is given the option to pay the assessment in whole or in installments. If they chose to pay in installments, the Notice of Installment Payment Plan is filed on the land records along with a Benefit Assessment. Atty. Sienkiewicz stated that when the WPCA changes the payment plan, an Amended Certificate of Notice of Payment Plan is filed on the Land Records. I. Agard asked if the decision had been made to move to the June 1<sup>st</sup> billing. Atty. Sienkiewicz stated that the Commission will first need to hold a public hearing. Atty. Sienkiewicz stated that the assessment is a type of lien, but is not a typical lien that records a delinquency issue. The notice of Benefit Assessment records the amount of the assessment. The Notice of Installment Payment Plan shows the requirement for the assessment to be paid in installments. K. McPadden asked about the interest, and Chairman Malwitz noted that instead of charging 18-months interest, the WPCA will be charging twelve months of interest. P. Kurtz asked if the total amount of interest will be collected. Atty. Sienkiewicz explained that over the life of the bill, six months of interest would be lost. Chairman Malwitz stated that the total amount of the money would be the appropriate amount needed to pay off the bond. Chairman Malwitz stated that there will be a notice sent with the December use bills to notify the payers that the benefit assessment bill will not be received until June 2015. M. Ongaro explained how the process will work in the office. Atty. Sienkiewicz noted that the Authority has not yet approved this change.
- c. Other Financial Matters  
M. Ongaro asked if the WPCA has any suggestions about whether the WPCA Office will use the Town schedule or will decide to close the Friday after Christmas or the Friday after New Years. She noted that the office had closed last year on one or both of these dates. Chairman Malwitz responded that the WPCA Office will follow the Town Hall's calendar.

M. Ongaro asked the Authority if she would be permitted to attend QDS user meetings, when they are local and convenient with the workflow in the office. Atty. Sienkiewicz mentioned that the Authority should consider drafting some sort of formal training schedule. K. McPadden stated that there is money in the budget for the user meetings.

M. Ongaro also asked that she be permitted to go to the QDS office with S. Welwood. T.E. Lopez stated that many of these questions are for internal discussion and decision within the WPCA office. R. Prinz stated that M. Ongaro is also updating the Authority about the work she is doing. I. Agard agreed that training should be encouraged. M. Ongaro asked if there is anything particularly which the Authority would like to have reported. Chairman Malwitz

asked M. Ongaro to give a type of activity report for the work that she does in the office, when she is available to attend meetings.

6. **Inspector's Activity Report:** D. Will presented the Inspector's Activity Report:

- a. Sandy Lane Easement Update – D. Will stated that he has received a bill from United Concrete, and he has submitted it to CL&P for reimbursement. Hours which D. Will and R. Prinz have spent on the project have also been submitted for reimbursement to CL&P.

The Dinette showroom will take the last open space at the new La-Z-Boy building at 227 Federal Road.

D. Will reported that Advanced Construction has begun the water line at 40 & 64 Laurel Hill Road for Dakota Partners. The sewer line has been crossed a few times. D. Will stated that a meeting will be held with the contractor to review the WPCA rules and regulations. R. Prinz stated that OSHA paid a visit to this project site. Atty. Sienkiewicz asked if a bond had been pulled to do the work on the road. R. Prinz stated that there is most likely a road bond with the Public Works Department. The WPCA line would not be covered under the Public Works Department road bond. R. Prinz stated that there is an escrow account from which the WPCA can charge. Atty. Sienkiewicz asked if the sewer line is in jeopardy. I. Agard asked what can be done if the work is not properly completed, and R. Prinz replied that a permit to discharge would not be issued.

M&O Construction is starting construction at Barnbeck Place, and sewer installation has been scheduled for next week. R. Prinz and D. Will are to meet with the contractors.

D. Will stated that Jason Sivo has completed construction of the Elbow Hill sewer extension at Echo Bay. Due to some failures of the testing equipment, more testing needs to be done.

D. Will has inspected nine water connections (that go over or under the sewer lines) on Federal Road in preparation for paving.

D. Will stated that he has been filling in for R. Prinz when needed at the High Meadow Project.

Very few surveys have been done this month due to the amount of new construction.

The generator transfer switch at Stony Hill Road has been repaired. The belts on hoses on the old portable generator set were placed at the same time.

There are still issues with getting Andy Sincali to respond to the needs on the Mission Communications problems. Chairman Malwitz asked that Mr. Will and Mr. Prinz email him a list of outstanding items.

Old New Milford Road has been paved and five manhole rings to keep the manholes at grade were installed.

D. Will stated that he has spoken with the president of the association for Sandy Lane Village regarding a meeting to discuss a possible sewer easement on their property. Mr. Will stated that the property management company had not relayed the WPCA's requests to meet, but they are willing to discuss their options. Atty. Sienkiewicz will send Mr. Will the correspondence which he had sent to the property management company for this upcoming meeting.

7. **Maintenance Manager's Report:** R. Prinz presented the Maintenance Manager's Report:

- a. Multi-family Residential Structures Garage Discharge to Sewer Charge – Discussed below.
  - 101/103 Laurel Hill Road: R. Prinz stated that the developer is still in the process of getting approvals.

- Brooks Quarry Sewer: The Planning approval has been granted for the 8-24 referral, and the grant application is in progress.
- High Meadow Project: There is progress on site. The wet well structure has been set. The force main has been installed to the edge of Silvermine Road. The pipes and manholes for phase one are approximately ninety percent complete. The residents have been very cooperative. R. Prinz noted that there have been additional cost savings through field changes and low rock dollar amounts. Atty. Sienkiewicz stated that he had sent the paving agreement to Newbury Crossing. The Board for Newbury Crossing is planning to meet later this month to discuss this matter. Newbury Crossing has not yet given the permanent easement.
- Federal Road Sewer Improvements – No report.
- Commerce Road Pump Station Repairs – No report.
- Caldor Station Generator Replacement – No report.
- Portable Flow Meter – The flow meter has been ordered.
- Del Mar Drive Extension: The Town is still holding the Earthmovers road bond money.
- Water Pollution Control Facilities Plan: No action.

R. Prinz reported that inspection income. He also reported the Land Use files processed.

- BRT Properties - Barnbeck – Sewer connections will be starting.

## 9. Legal Matters

- a. Berkshire North Agreement – Atty. Sienkiewicz stated that a response has been received for the maintenance agreement.
- b. 57 Laurel Hill Road PMA – Atty. Sienkiewicz is still waiting for several items regarding the PMA for this project.
- c. Danbury InterLocal Agreement – This item is with an ad-hoc committee with the Town counsel in Danbury, according to Atty. Sienkiewicz.
- d. Other Legal Matters – No report.

## 8. Engineer Comments/Project Update

- a. High Meadow Project Update – W. Charles Utschig stated that with R. Prinz's presence on the site, the project has been moving along efficiently. Mr. Utschig explained that there are a couple of areas where the system has been redesigned to preserve mature trees and for other reasons. He also mentioned the re-route of the line near a rocky area to the front of the property. This realignment will be a benefit to the cost of the project. A Langan representative comes to the site when needed, when requested by R. Prinz. Mr. Utschig stated that as the project moves forward, the Langan representative may be needed more. Mr. Utschig also stated that young engineers will be training for field work on site with R. Prinz.
- b. Route 7 Overpass Bid Review – A description of this scope of work will be completed so the inspection of the area can be done. Mr. Utschig stated that Langan will have this item done shortly. Upon inquiry from I. Agard, Mr. Utschig replied that this is not a high-risk project.
- c. Generator Design Package – This design package is ready to be sent to contractors for bids. Atty. Sienkiewicz has reviewed the information. Mr. Utschig stated that Langan is attempting to develop a contract document to be used for various improvement projects that can then be reused.
- d. GIS System Modeling – Mr. Utschig stated that Langan anticipates this modeling to be ready relatively shortly. If something is not on the map, he has asked the staff to contact him.
- e. Three Pump Station Upgrades: North, 777 Federal Road, Railroad – CCA has almost finished completing the survey work required. The final submission from the contractor for the pump station controls has also been received.
- f. Clean Water Funds Application – Mr. Utschig stated that Chairman Malwitz has spoken with the grant writer at Langan, Greg Furley, regarding this application to get Clean Water funding to sewer the Candlewood Shores. Chairman Malwitz stated that the idea is to put together a comprehensive package for the clean water fund funding. This type of funding is similar to the type of funding used for the three-condo project. In order to obtain clean water funding, there is

a point system. The package is due in December. K. McPadden asked if it would be helpful to have some backup from the Health Department regarding walk overs and failed septic. W. Charles Utschig stated that this grant is unique in a few ways. This application is a bit more complicated than other grant applications. Chairman Malwitz stated that studies have proven that the biggest factor contributing to the lake pollution is human activity. Atty. Sienkiewicz mentioned the history of attempting to sewer the area. **L. Trojanowski-Marconi made a motion to accept the proposal not to exceed \$12,000 to complete the report and Clean Water Fund Application for Candlewood Lake with Langan as the engineer. P. Beccaria seconded the motion, and it carried, with P. Kurtz abstaining.**

g. Other Engineering Matters – None.

**10. Other WPCA Business**

- a. Use Charge Sub-Committee Formation – K. McPadden stated that P. Kurtz, T.E. Lopez, R. Prinz and she had met with Emily McPadden, who had a complaint regarding the inequities of the fixed use charge. K. McPadden stated that the questions have been taken in, and it was suggested by Mr. Lopez and Mr. Kurtz that a Committee be formed to review the usage fees. Chairman Malwitz also mentioned the use fees for restaurants, which had been discussed several years ago. Chairman Malwitz stated that some utilities have a flat fee along with a usage fee. Atty. Sienkiewicz asked if the Authority is willing to consider the charge of a half-unit for smaller apartments. P. Kurtz stated that the matter should be studied and stated that the bedroom count could be used to help study the use fee. P. Kurtz mentioned that there will be a conglomerate of information to be considered and possibly reconfigured. K. McPadden stated that she will put together a spreadsheet of all sewered residential properties with the number of bedrooms indicated. P. Beccaria and P. Kurtz will work on this item. They will also discuss this matter with S. Welwood.
- b. 2015 Draft Meeting Calendar - To discuss/adopt – The Authority reviewed the draft calendar. Due to the cancelation of the December 2014 meeting, the January 2015 meeting date will be moved up one week to January 21<sup>st</sup>. **L. Trojanowski-Marconi motioned to adopt the 2015 meeting calendar as proposed, except the January meeting date will be on the 21<sup>st</sup>. I. Agard seconded the motion, and it carried unanimously.**
- c. December meeting – Chairman Malwitz stated that he would like to move that the WPCA not have the regular meeting on December 17, 2014 due to the holiday party. **L. Trojanowski-Marconi motioned to cancel the December 17<sup>th</sup> meeting for the purpose of having a get-together. I. Agard seconded the motion, and it carried unanimously.**

P. Beccaria stated that he believes that R. Prinz and D. Will are a bit overwhelmed in the field. He mentioned that there are many upgrades and an influx of business, and there is a lot of work for two people. P. Beccaria suggested that a job description be submitted, and K. McPadden and R. Prinz will work on putting one together. Mr. Utschig mentioned the possibility of working with a temp agency to hire someone seasonally for part-time work.

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

Chairman Malwitz stated that he had received a call from Candlewood Lake Authority, who would like to take pictures of the land in the lake area wet and dry during the winter. A complete proposal for review will be presented.

- 12. Adjournment: L. Trojanowski-Marconi made a motion to adjourn at 9:35 PM. I. Agard seconded the motion, and it carried unanimously.**