

BROOKFIELD WATER POLLUTION CONTROL AUTHORITY

Wednesday, November 16, 2016 Room 133 7:00 p.m.

APPROVED MINUTES

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

WPCA

Nelson Malwitz, Chair
Phil Kurtz
Matt Brown
T.E. Lopez

Others

Jeff Sienkiewicz, Attorney
W. Charles Utschig, Langan
Dave Will, Inspector
Matt Allred, Accountant
Mary Ongaro, WPCA Collector
Kristi McPadden, Executive Administrator
Emily Cole Prescott, Recording Secretary

7:00 PUBLIC HEARING – ROLLINGWOOD SEWER PROJECT: Chair Malwitz opened the public hearing at 7:00 PM and introduced members and employees of the WPCA. He reviewed the legal notice of the public hearing for the record. Mr. Utschig briefly presented the project proposal, the objective of which is to eliminate the pump station at Rollingwood, by installing a gravity-fed sewer line. Mr. Utschig explained that approximately fifty trees will be removed and replaced with appropriately-sized trees. Chair Malwitz stated that the Town has approval to BAN up to \$650,000 for this project. Chair Malwitz also explained that benefit assessments will be applied to the properties, and provided brief information on how assessments are generally calculated. Atty. Sienkiewicz clarified that the benefit assessment will only be levied on the Rollingwood Condominiums, not on other associations which will be providing easements for this installation. Chair Malwitz also mentioned the bid process, noting that it is highly regulated. Chair Malwitz asked for comments about the proposal. Chair Malwitz explained that the owners will receive another annual bill for the assessment, and K. McPadden clarified that another public hearing will be held about setting assessments after construction is complete.

The following residents asked questions of clarification:

- *Jim McCauley of 2 Derby Court*
- *Mayur Dudhedia of 8 Derby Court*
- *James Tierney of 47 Homestead Lane*
- *Albert Uziel of 15 Rollingwood Drive*

Chair Malwitz asked for further questions and/or comments from the audience. *There were none.*

T.E. Lopez made a motion to close the public hearing at 7:20 PM. M. Brown seconded the motion, and it carried unanimously.

2. **Approval of Minutes** –10/26/16 – **T.E. Lopez made a motion to approve the minutes of the October 26, 2016 meeting. P. Kurtz seconded the motion, and it carried unanimously.**

3. **New Business**

- a. 854-874 Federal Road – Application for Community Sewer System and Application to Connect (7 buildings) – *Mike Lillis of CCA, LLC and Tony Lucera, developer, were both present to discuss this application.* M. Lillis stated that based on information which S. Sullivan had received at the previous meeting, the application for community sewer system along with an application to connect for seven buildings have been submitted. This proposal includes 181 units in six buildings with a clubhouse and a pool. Both the Inland Wetlands Commission and the Zoning Commission have approved the proposal. The Office of the State Traffic Administration is next on the list to review the proposal. Mr. Lucera stated that he will submit payment for the applications, and he will also see to it that the delinquent amount for 854 Federal is paid. **T.E. Lopez made a motion to accept the two applications (seven building connections and one community sewer system application) subject to the payment of the necessary application fees. P. Kurtz seconded the motion, and it carried unanimously.**

4. Old Business

- a. 450-460 Federal Road – Application to Connect – *Mike Lillis of CCA, LLC of Brookfield, CT was present on behalf of Minino Homes*. M. Lillis explained that S. Sullivan has incorporated Langan’s requested revisions into the proposed plans. Mr. Utschig submitted a letter from Langan, recommending approval of the application. Atty. Sienkiewicz had questions about combining the two lots into one property, and M. Lillis replied that both properties would need to be merged for the building to be zoning-compliant. **T.E. Lopez made a motion to approve the application subject to Langan’s recommendation letter, and subject to the applicant providing evidence of legal lot merger prior to commencement of construction. P. Kurtz seconded the motion.** K. McPadden clarified that the fees have been paid. **The motion carried unanimously.**

Chair Malwitz introduced audience member, Loretta Donovan, who will be joining the WPCA once her time with the Charter Revision Committee is complete.

- b. Discussion of Proposed Office Rent Charge with Selectmen – Chair Malwitz explained that this item is on the agenda because First Selectman Dunn had sent a letter requesting that the WPCA pay rent for its Town Hall office. Atty. Sienkiewicz also mentioned the matter of the water assessment at 64 Federal Road, noting that he has not yet heard back from Attorney Beecher.
- c. Rollingwood Sewer Project Update – Chair Malwitz reported that the Authority has just closed the public hearing. Chair Malwitz stated that the next step of the process is to obtain financing to begin the project. Atty. Sienkiewicz recommended review of the town meeting’s approval motion, to determine if the Town is limited to a certain type of borrowing.
- d. Brooks Quarry Project Update – D. Will reported that the project is now pending connection from Eversource. Atty. Sienkiewicz stated that he will need a plan to prepare the easement. The WPCA will work with the Health Department to submit requested information to the State.

5. Accountant Report

- a. Monthly Financials – M. Allred presented the monthly financial results.
- b. Year End Update & Audit Activity – K. McPadden stated that the Town expects the auditors to return in December, so this matter remains ongoing.

6. Employee Activity Reports (Roger, Dave, Kristi, Mary):

D. Will presented the Inspector Activity’s Report. D. Will stated that the Congregational Church is currently being hooked into the line on Silvermine. The properties at 8 and 10 Silvermine Road have both been connected and are operational. R. Prinz has completed the walk-through for Rollingwood with the Sandy Lane Association. The dental office at 533 Federal Road is complete.

M. Ongaro presented her Employee Activity Report. M. Ongaro stated that the Barnbeck properties (398 Federal Road) have been added for a December 1st billing date. There are 623 commercial customers and 1,100 residential customers, (not units), and 3,591 units being billed out. M. Ongaro indicated that the Borst property is scheduled for Levy and Sale. M. Ongaro noted her recommendation of the \$24 lien release fee, which would more appropriately update the office’s lien tracking.

K. McPadden presented her Employee Activity Report. K. McPadden has been compiling a list of new assessments. She has mailed out the 2% CCRCC bill for 227 Federal Road. Approval letters have been sent for 8 and 10 Silvermine Road, and the address records in Quality had been updated. The office has been quite busy.

7. Engineer Comments/Project Update

- a. Capital Projects: K. McPadden asked if the contractor is approaching the extension period expiration – D. Will stated that another extension is not required. There was concern about the railroad pump station, to which D. Will replied that the station is always operational, with sources of back-up power readily available.

- i. 777A Federal Road PS Improvements,
 - ii. North PS Improvements
 - iii. Railroad PS Improvements
 - b. High Meadow High Solids Concentration – Solution alternates – Mr. Utschig stated that Langan is working on an in-line mixer to solve this matter. This is intended to give an agitation to the flow. There is low flow and high solids content.
 - c. Inflow and Infiltration (I&I) Study – Next step – *This matter was discussed below, during item g.*
 - d. Private Pump Station Run Time Data Logging – The results need to be reviewed once Roger is back from vacation.
 - e. GIS Sewer Modeling/Scanning Update/Forms (Manhole, Pump Station, Grit & Grease Trap) – The GIS is operational, but new tablets would make the process more useful. The information is now available to review on the website. Langan will give their recommendation as to the specifications of new tablets.
 - f. Community Sewer System/PMA Study – This study has been done by Langan, and Atty. Sienkiewicz is now reviewing how to formulate the information into the standard community sewer agreement.
 - g. Clean Water Funds Application – Mr. Utschig stated that the I&I study, facilities plan, and the Candlewood Lake study relate to Clean Water funding. The Authority must first select a qualified consultant to complete the work. Langan has compiled the framework for the request for qualifications. **T.E. Lopez moved, if the request for proposal/qualification is completed before the next meeting, that the Chair is authorized to issue requests for clean water funds. P. Kurtz seconded the motion, and it carried unanimously.** Items C, G, and H will be included in a separate section of future agenda documents.
 - h. Water Pollution Facilities Plan Update – *This item was discussed above, as part of agenda item g.*
 - i. Other Engineering Matters – Mr. Utschig recommended that this month's vouchers to Longo not be paid as they were submitted, and the Authority may want to consider payment on corrected vouchers against amounts not to exceed the submitted totals. Langan will review and revise the voucher sheets submitted by the contractor. *See approval motions during discussion of vouchers, item 10.*

8. Legal Matters

- a. 64 Federal Road Water Line Assessment – Atty. Sienkiewicz explained that he has not yet heard back from Atty. Beecher regarding this matter. He stated that the Connecticut General Statutes exempt municipal properties from getting assessed. **Chair Malwitz moved, if Atty. Sienkiewicz cannot resolve this matter with the Town Attorney by November 23rd, to file an appeal within statutory time. T.E. Lopez seconded the motion, and it carried unanimously.**
- b. 86 Candlewood Lake Road (Legal correspondence following last month's informal discussion) – In accordance with the opinion of the attorney, the applicant should apply to the Inland Wetlands Commission first and if the Inland Wetlands Commission gives approval subject to sewer service, the WPCA will consider the matter then.
- c. Other Legal Matters – The maintenance agreement for High Meadow has not yet been done, as the regulations first must be amended.

9. Other WPCA Business

- a. Use Charge Study Sub-Committee Update – T.E. Lopez suggested that the Sub-Committee meet with Langan to discuss the next steps of this study.
- b. Waste Water Plant Developments – Danbury & New Milford – Atty. Sienkiewicz stated that the Plan of Conservation and Development (POCD) in Brookfield is based on ½ million gallons, and he questioned whether the Planning Commission should be involved in this decision. P. Kurtz stated that the gallon usage amount is considered in the WPCA's plan. Chair Malwitz reviewed the history of the matter. Atty. Sienkiewicz stated that for years the discussion was about sewer capacity, and his purpose is to offer caution for the WPCA to consider. Mr. Utschig stated that from this point forward, K. McPadden should maintain a running spreadsheet of what properties have been connected, as well as approved. Regulations on discharging industrial waste are now

offering methods of remediation and mitigation to use recycling systems which can significantly reduce discharge into the system. Chair Malwitz mentioned that the matter can be brought to the Planning Commission, and Atty. Sienkiewicz noted that a letter should be sent to the Planning Commission and to B. Paynter, Economic & Community Development Manager to inform them of this matter.

- c. December 2016 Meeting – There is a meeting on the schedule, however a meeting is not needed. K. McPadden will cancel the December meeting as the date gets closer. K. McPadden will send out an invitation for the December 14th Holiday party to members and employees after discussing with N. Malwitz.
- d. Other WPCA Matters – None.

10. **Vouchers**: The Authority reviewed the vouchers. K. McPadden gave a brief overview. **T.E. Lopez made a motion to accept payment on everything on the vouchers as presented, except the payment to Longo. P. Kurtz seconded the motion, and it carried unanimously.**

Mr. Utschig explained that the intent is to correct the requisitions to pay Longo & Associates no more than the vouchers require. **M. Brown made a motion to authorize the Chairman to pay Longo and Associates LLC up to the following amounts – \$31,654 for the 777 Federal Road Pump Station Upgrade, \$44,041.41 for the North Pump Station Upgrade, and \$32,492.85 for the Railroad Pump Station Upgrade subject to receipt of recalculated, reconciled vouchers approved by the Authority’s engineer. P. Kurtz seconded the motion, and it carried unanimously.**

11. **Adjournment**: **P. Kurtz made a motion to adjourn the meeting at 9:48 PM. The motion was seconded by T. Lopez and passed unanimously.**

*** Next meeting date January 18, 2017 ***