

# BROOKFIELD WATER POLLUTION CONTROL AUTHORITY

Wednesday, April 26, 2017 Room 133 7:00 p.m.

## APPROVED MINUTES

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

**WPCA:**

Nelson Malwitz, Chair

M. Brown

J. Murray

**Others:**

W. Charles Utschig, Langan (Engineer)

Roger Prinz, Maintenance Manager

Jeff Sienkiewicz, Attorney

John Siclari, WPCA Director

Dave Will, Inspector

Kristi McPadden, Executive Administrator

Mary Ongaro, WPCA Collector

Emily Cole Prescott, Recording Secretary

❖ **7:00 p.m. PUBLIC HEARING – Proposed Revised Rates, Charges or Other Fees to be Charged for Use of, Connection to and/or Availability of the Brookfield Sewer System**

Chair Malwitz opened the public hearing at 7:00 PM and read the public hearing notice which was published in *The Penny Saver* and *The News Times*. Chair Malwitz explained the purpose of the public hearing, which is to discuss a proposed user fee increase to \$210 semiannually or \$420 annually from the current rate of \$380 annually per unit and to assess a Danbury plant charge of \$44 per unit per year. The WPCA has not increased its user rate in five years. The purpose of the \$44 per unit Danbury plant charge is to fund the engineering cost passed from Danbury to Brookfield for proposed treatment plant improvements. Chair Malwitz explained that if a property is not connected to the sewer but has the option to be connected to the line, that property will also be charged the Danbury plant unit fee. The billing date for these charges is June 1, 2017.

Chair Malwitz asked for public comment. Chair Malwitz read a letter for the record from Eileen & Rich Saluga of 32 Great Heron Lane, objecting to the proposed rate increase to sewer charge during a revaluation year. Chair Malwitz asked for further public comment. As there were no additional comments, **J. Murray made a motion at 7:08 PM to close the public hearing and M. Brown seconded the motion. It carried unanimously, 3-0.**

*At this time, Chair Malwitz convened the regular meeting.* Chair Malwitz introduced John Siclari, who has accepted the part-time WPCA Director position. Chair Malwitz indicated that he had sent John Siclari's resume to the Authority and WPCA employees and that he will start on or around August 1, 2017. Mr. Siclari shared some of his professional background at Eversource with the Authority.

2. **Approval of Minutes** – 3/22/17: **M. Brown made a motion to approve the minutes of the March 22<sup>nd</sup> meeting. J. Murray seconded the motion, and it carried unanimously.**

3. **Informal Business**

- a. 70 Stony Hill Rd/107 Vale Rd. – *Mike Lillis of CCA Engineers, Brookfield CT and Attorney Neil Marcus of Cohen & Wolf, were present to speak on behalf of the applicant.* Atty. Marcus reviewed that this matter had been discussed with the WPCA about a year ago. Based on the history of the property and correspondence on the record, this property can only be connected if there is a septic system failure. Atty. Marcus explained that the applicant plans to propose consolidation of the two parcels (70 Stony Hill Road & 107 Vale Road) for purpose of mixed-use development under CGS 8-30g. Atty. Marcus noted case law Dayton (Newtown), mentioning that if sewer service is available in an area where CGS 8-30g affordable housing is proposed, it cannot be denied connection. Mr. Lillis stated that the peak flow is 15,665 gallons. Atty. Marcus indicated that the applicant is asking for approval of sewer connection, based on

consolidation of the parcels and development under CGS 8-30g. Chair Malwitz reported that the State had told the Authority, based on approval of the Clean Water fund loan, that only properties in a septic system failure may be connected to this line. Atty. Sienkiewicz shared some brief history of this property with the Authority and applicant. He noted that the property in the industrial zone is entitled to connect, but the residential property is outside of sewer service availability. Atty. Sienkiewicz indicated that the State's Plan of Conservation and Development may need to be amended if sewer service in this area that was not to remedy a septic system failure was to be pursued. Atty. Marcus noted that the preference is to connect to the sewer line. Atty. Sienkiewicz stated that although the presence of the sewer line is in the area, there is no access for this property due to the restrictions of the loan funding as well as the State's and Town's plans of conservation and development and the WPCA Sewer map. Atty. Sienkiewicz summarized the following restrictions: the State's and Town's Plans of Conservation and Development, the Water Pollution Control Map, and clean water fund restrictions.

#### 4. Accountant Report

- a. Monthly Financials – In Matt Allred's absence, Chair Malwitz briefly reviewed the monthly financial results with the Authority.
- b. Budget Discussion and Adoption – Atty. Sienkiewicz explained the purpose of the ordinance, which is to allow the Town to have a comment review period before the budget is approved. Tabled to the May meeting.
- c. FY 2015-16 Audit Update – K. McPadden stated that the Town has yet to close the financial audit from the fiscal year ending June 30, 2016. An update is expected at the end of April.

#### 5. Old Business

- a. To Act Upon Proposed Revised Rates, Charges or Other Fees to be Charged for Use of, Connection to and/or Availability of the Brookfield Sewer System – Chair Malwitz explained the purposes of this resolution, which is to increase the unit charge from \$380 to \$420 annually, and to add a plant charge surcharge for two years in the amount of \$44 per unit annually which will be accounted for separately on the bill. Chair Malwitz indicated that this \$44 per unit charge will be applied toward the Danbury plant charge engineering fee. **J. Murray made a motion that the Authority adopt a sewer use charge of \$210 per unit semiannually or \$420 per year commencing June 1, 2017. M. Brown seconded the motion, and it carried unanimously.**

**M. Brown moved that the Authority re-establish the Danbury Plant Charge to pay the estimated annual assessment cost to Brookfield from the City of Danbury to design and engineer proposed treatment plant improvements based on unit charge of \$22 per unit semiannually or \$44 per year. The charge is assessed against each property in a sewer service area established by the Authority where the property is or is not connected. For properties not connected, the charge will be assessed for one acre or part thereof for a minimum of one acre per unit. The Danbury plant charge will be effective on the June 1, 2017 billing. J. Murray seconded the motion, and it carried unanimously.**

#### 6. Employee Activity Reports (Roger, Dave, Kristi, Mary): R. Prinz reported the Maintenance Manager's Report:

##### Construction Projects Planned:

- Rollingwood Sewer Extension: Attorneys are currently working on easement agreements. The wetlands modification has been submitted and accepted. R. Prinz had attended two wetlands meetings to discuss the application, but there is a waiting period before the Inland Wetlands Commission may issue a decision.
- Oil Spill Status: The closure report has been submitted to CT DEEP. There have been no claims against the WPCA received to date, and the spill site has been restored.

Active Construction Projects:

- Brooks Quarry Sewer: Langan has been working on close-out processes for State records and the Brookfield Housing Authority. All funds need to be disbursed by September. The Water tank-sewer line distance matter remains ongoing.
- High Meadow Sewer Extension: There is a recommendation for final release of retainage.

Federal Road Sewer Improvements:

- The flow meter for the North Station was repaired and is being returned.
- Railroad Pump Station is converting to float balls for ease of adjustment received, scheduled install on April 27<sup>th</sup>.

Ongoing Projects:

- Private Pump Station Monitoring: There is a written proposal, and the funds have been included in the FY 2018 budget proposal.
- GIS Project: Special feature list and form to be produced, requested Langan to offer additional field training
- Monitoring System: The parts are on order to integrate all pump station flow meters allowing reporting of totalized flows to mission system expected online in May, slipped due to flowmeter repair.
- Infiltration Investigation: Langan will discuss a recommendation during the Engineer's Report.
- Commerce Road Force Main: 53 Commerce Road – Valve chamber installation is complete, west line only active at this time, was discovered that some locations were discharging to both lines, leak discovered at 71 Commerce force main line. An attempt to flush east line will be made, additional ports may be needed.
- Eastview Station: Mix flush conversion kits have arrived; scheduled installation on May 2<sup>nd</sup>. Chad Conway has been assigned to retrofit.
- Water Pollution Control Plans: *See Engineer's report, below.*
- YMCA: R. Prinz reported that the YMCA had installed an additional grease trap line which was not on the originally approved plan. R. Prinz stated that he will discuss with M. Ongaro appropriate unit charges for the property.

D. Will presented the Inspector's Activity Report: R&F Danbury (14 Candlewood Lake Road) is planning renovations to the store. The owners are also working on some internal piping, which repairs will begin this week. Surveys will be up to date by Friday. D. Will has been working with the iPad program from Langan, but it is still not easy to print a report from the iPad. Langan is working on this matter.

K. McPadden presented her report: K. McPadden stated that there have been several meetings in Town Hall. There was a meeting about a potential development at 731 Federal Road. There is a tentative agreement with Food Emporium with apartments on the second and third floors at this location. The property has been assessed for sewer service. The property is below sewer lines in the area. R. Prinz stated that he has suggested that the engineer bring the gravity line to the 777 pump station rather than installing a new pump station. The applicant would need a sewer extension and possibly an easement. K. McPadden noted the importance of the Development Services Team meetings for those looking to build and for the departments.

The other meeting was with the Health Department via conference call to electronically track septic system permits and pumping records. K. McPadden noted that there are still gaps in the Town's septic pumping tracking and reporting.

M. Ongaro presented her report: M. Ongaro stated that she will continue her work with QDS to re-establish the plant charge in June to all of the bills. The new assessments have been added, and

delinquent notices have been sent. Liens will be added to the land records on properties for owners who have not yet paid.

## 7. Engineer Comments/Project Update

- a. Rollingwood Sewer Project; Clean Water Fund Application; Easements – Mr. Utschig stated that Langan is now pending receipt of CT DEEP’s comments. Once the comments are received, the WPCA will go out to bid on the project. The purpose of this application is to apply for loan funding for this project. The Authority will review pre-payment terms.
- b. Brooks Quarry Project Update; DPH Compliance Status of Deficiencies; Aquarion Connection – Langan has submitted a requisition, and as-built plans are now complete. The project should be closed out before the September deadline.
- c. Capital Projects:
  - i. 777A Federal Road PS Improvements,
  - ii. North PS Improvements
  - iii. Railroad PS Improvements: Mr. Utschig summarized that the control panels now have continuity, and because of this project, the pump stations in the area are better suited to handle future development. Emergency generators have also been added to two of the stations, and overall, this project represents a significant upgrade to reduce potential liability. R. Prinz also noted that this project has addressed the WPCA’s previous concerns about lack of redundancy within the system.
- d. High Meadow High Solids Concentration – Solution alternates – Mr. Utschig explained that the flush valves have been installed, and he recommended release of final payment.
- e. Inflow and Infiltration (I&I) Study – Next step – There are two proposals to install five meters, rain gauge and monitoring well. The low bidder was Flow Assessments, at approximately \$16,000. Chair Malwitz replied that he does not foresee much additional savings because of this project. Mr. Utschig noted the importance of data collection, and R. Prinz mentioned the calculations he had completed to determine the benefit of the project. Chair Malwitz indicated that he would prefer to direct funds toward private pump station projects.
- f. Private Pump Station Run Time Data Logging – R. Prinz reviewed the proposal, the goals of which are to comply with current WPCA Rules and Regulations, and to enable data-gathering. This project will also assist property owners with long-term maintenance of their pumps stations.
- g. GIS Sewer Modeling/Scanning Update/Forms (Manhole, Pump Station, Grit & Grease Trap) – Mr. Utschig stated that Langan is working on this matter, and additional training will be offered to better implement reporting options.
- h. Water Pollution Facilities Plan Update – There was no report.
- i. Use Charge Study – Langan will present a report at the next meeting. Mr. Utschig stated that Langan has continued review of the unit charges for each of the properties, and now the remaining data needed is in the WPCA office.
- j. Other Engineering Matters – There were none.

## 8. Legal Matters

- a. Rollingwood Oil Line Accident and Easements – *This matter was discussed during executive session, below.*
- b. Other Legal Matters – Atty. Sienkiewicz stated that he needs to finalize the \*permanent maintenance agreements, which he plans to have ready for next month’s meeting. \*Add this item to the May meeting.

## 9. Other WPCA Business

- a. WPCA Office Location Update – Chair Malwitz reviewed Atty. Sienkiewicz’s document outlining municipal approval process for relocation. Atty. Sienkiewicz suggested that the Authority obtain a proposal to purchase, and he offered to discuss further details with P. Kurtz. **M. Brown made a motion to authorize P. Kurtz and the Chairman to negotiate a**

**proposed real estate purchase of the property previously discussed to be brought back to the Authority for approval and subsequent approval by town agencies. J. Murray seconded the motion, and it carried unanimously.**

- b. PT Director Position Update – Chair Malwitz shared information about the WPCA’s hiring process for this position, noting that John Siclari has been offered the position.
- c. Other WPCA Matters – Chair Malwitz mentioned ongoing financial concerns throughout the State.

10. **Vouchers**: The Authority reviewed the vouchers. **J. Murray made a motion to authorize the final payment of \$30,595.67 to Earthmovers on the High Meadow Sewer Project subject to receipt of an appropriate release from Earthmovers running back to the Brookfield WPCA. M. Brown seconded the motion, and it carried unanimously.**

**Chair Malwitz made a motion to pay the remaining vouchers as presented, \$70,647.31, without the Earthmovers voucher. M. Brown seconded the motion, and it carried unanimously.**

11. **Executive Session**: **At 9:31 PM, Chair Malwitz made a motion to enter into executive session to discuss strategy and negotiation with respect to the acquisition of sewer service easements. The motion was seconded by M. Brown and passed unanimously. Chair Malwitz invited Atty. Sienkiewicz, R. Prinz, and W. Charles Utschig into the executive session. At this time, the recording was stopped and all present who had not been invited into executive session left the meeting room.**

**At 9:56 PM, M. Brown made a motion to come out of executive session. J. Murray seconded the motion, and it carried unanimously. No motions had been made during executive session.**

**J. Murray made a motion to authorize counsel [Atty. Sienkiewicz] to negotiate the Rollingwood Project sewer easements in accordance with the discussions held during executive session. The motion was seconded by M. Brown, and passed unanimously.**

12. **Adjournment**: **At 10:02 PM, M. Brown motioned to adjourn the meeting. The motion was seconded by J. Murray and carried unanimously.**

\*\*\* Next meeting scheduled for May 24, 2017 \*\*\*