

## BROOKFIELD WATER POLLUTION CONTROL AUTHORITY

Wednesday, February 24, 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:

N. Malwitz, Chairman  
L. Trojanowski-Marconi, Vice Chair  
T.E. Lopez  
P. Kurtz, Alternate  
M. Brown, Alternate

Others:

R. Prinz, Maintenance Manager  
D. Will, Inspector  
W. Charles Utschig, Langan  
J. Sienkiewicz, Attorney  
M. Allred, Bliss Allred (Accountant)  
K. McPadden, Executive Administrator  
M. Ongaro, WPCA Collector  
E. Cole Prescott, Recording Secretary

### **7:00 PUBLIC HEARING: PROPOSED LEVY OF SUPPLEMENTAL BENEFIT**

**ASSESSMENTS** – Chair Malwitz opened the public hearing and explained its purpose.

Chair Malwitz explained that the assessment is based on the grand list value of the properties rolled back to 1983 (every property assessed on the same basis also taking into account any previous land or property assessments). A lien will be issued on each assessed property, unless the assessment is completely paid upfront. The payment period is only for the remaining period of the bond, which is six years. State law allows properties to be assessed in order to pay back the bond. The Authority cannot over-collect, and can remedy the matter if under-collection is projected. The project bond ends in 2021.

Atty. Sienkiewicz stated that the office had received a phone call from the attorney for 40-64 Laurel Hill Road, and the proposed assessment appears to be too high. The proposed benefit assessment for Laurel Hill Residences LLC was \$73,281.26 and should be reduced to \$56,742.68 (the original calculation assessed the land and commercial building which were both already assessed in 2003, so they were both removed and re-calculated).

Chair Malwitz asked for questions or comments of the audience. *Robert McGivney of 29 Oak Branch Drive* expressed concern that he was the only resident present at this meeting. He also questioned whether the recent information published in *The News Times* regarding the matter of Town bonds will affect the interest of this bond and accompanying assessments. Chair Malwitz replied that that article references water, and not sewer bonds, and this specific bond is older than 20 years.

Chair Malwitz asked for additional comments of the audience and commission members, and there were none. **L. Trojanowski-Marconi made a motion to close the public hearing at 7:15 PM, and T.E. Lopez seconded the motion. The motion carried unanimously.**

2. **Approval of Minutes** – 1/20/16 – **L. Trojanowski-Marconi made a motion to approve the minutes [of the 01/20/16 meeting]. M. Brown seconded the motion, and it carried unanimously.**
3. **Old Business**
  - a. 10 Huckleberry Hill Road, YMCA – Enclosure of pool, construction of aquatic center building, driveway, parking, walkways and grease trap (revised from 2006) – *Steve Sullivan of CCA Engineers was present for discussion of this application.* Mr. Sullivan reported that CCA is in

receipt of a letter from Langan recommending approval of the grease trap installation and pool enclosure changes. Chair Malwitz briefly reviewed Langan's letter. The escrow fees had been set at last month's meeting and have been paid. **L. Trojanowski-Marconi made a motion to approve the application [10 Huckleberry Hill Road, YMCA – Enclosure of Pool, Construction of Aquatic Center Building, Driveway, Parking, Walkways and Grease Trap]. P. Kurtz seconded the motion, and it carried unanimously.**

- b. Brooks Quarry Project Update – Chairman Malwitz gave an update on the status of this project. According to Michael Steele, CHFA requested that the contract be revised to remove the MAW (Misc. Work Assigned) amount of \$30,000, making the new contract total \$515,949. In place of the MAW, CHFA will include 10% of the new contract price, or \$51,595, as a separate contingency fund that will be held by the BHA. Mr. Steele submitted a draft revised contract to CHFA, and he has asked that Mr. Utschig prepare a revised contract and send it to Mr. Steele who will then submit it to CHFA for final approval. He also requested that Mr. Utschig contact the low bidder about the change and to make sure they are still on board. Chair Malwitz also stated that the timeline to complete the work has been extended. Atty. Sienkiewicz asked about the possibility of completing a change order. W. Utschig stated that at this point the contract is not executed, so a change order would not work. Atty. Sienkiewicz stated that he will reach out to CHFA as well, and Chair Malwitz asked that Atty. Sienkiewicz include Michael Steele, Chair of the Housing Authority, in any correspondence.
- c. Resolution Approving Supplemental Benefit Assessments – To act upon – The Authority reviewed the resolution. *Please see the public hearing agenda item for discussion on this topic.* **T.E. Lopez made a motion to approve the [attached] resolution [Resolution Approving Supplemental Benefit Assessments] as drafted. L. Trojanowski-Marconi seconded the motion, and it carried unanimously.**

#### **4. New Business**

- a. Nomination & Election of Officers – **L. Trojanowski-Marconi nominated Nelson Malwitz as Chair. Chair Malwitz nominated L. Trojanowski-Marconi as Vice Chair. As there were no other nominations, P. Kurtz made a motion to close nominations. T.E. Lopez seconded the motion, and it carried unanimously.**
- b. Discussion as requested by T.E. Lopez: Allocation of Discharge Amounts per Property – T.E. Lopez asked that the Authority review the matter of assigning discharge amounts per property. Chair Malwitz noted that if this is something that the WPCA would want to pursue, a study should be done to determine how to best move forward with this matter. Atty. Sienkiewicz recommended that this discussion be incorporated into the upcoming revision of the Sewer Facilities Plan. Atty. Sienkiewicz also noted legal issues that allocating discharge amounts may cause, based on histories of other Towns which have allocated sewer discharge amounts. Mr. Utschig mentioned that allocations may be easily challenged if they are not assigned with consideration of the entire system. T.E. Lopez stated that he would like to have the fact that this item has been discussed, and that the Authority may review this item in the future, on the record.

**L. Trojanowski-Marconi made a motion to move item 7 to the next item on the agenda. M. Brown seconded the motion, and it carried unanimously.**

#### **7. Engineer Comments/Project Update**

- a. High Meadow/Ledgewood/Newbury Crossing Project Update – The warranty period began at the last Commission meeting. Generally, the period is one year, but the Commission has the option to release the retainage sooner, at its discretion.
- b. Capital Projects: Mr. Utschig suggested that R. Prinz give the report on the capital projects listed below. Langan has been doing work for the projects when requested, and the work is moving along.

- i. 777A Federal Road PS Improvements,
  - ii. North PS Improvements
  - iii. Railroad PS Improvements
- c. GIS Sewer Modeling – Mr. Utschig reported that there had been an internal storage issue with the data files which Langan is currently fixing. Langan should be able to discuss this project in more detail at the next meeting. Mr. Utschig reported that there had been a meeting with Chair Malwitz and Roger Prinz to develop the forms to be used in the field. These forms will be web applications so the data will automatically attach to the current GIS files. W. Utschig also suggested that Langan host the WPCA’s GIS data files. T.E. Lopez asked about existing funds for the hardware, and Mr. Utschig stated that there would be a minimal charge for the use of the hardware and the storage at Langan. It was noted that both inspectors use Panasonic Toughbook in the field. Currently, there is a form on the tablet to use; however, the form does not automatically connect to the GIS files and does not give the full history of a property or issue.
- d. Clean Water Funds Application – Langan is awaiting input from Chair Malwitz on this proposal.
- e. Water Pollution Facilities Plan Update – Langan is working on a Water Pollution Facilities Plan, which will work with not only facilities and equipment but also rates. The purpose of this project is to work towards long term sustainability. This would require some work from the Authority for rate structures, etc. There will be an outline with a proposal for consideration at the next meeting. This project spans six months to a year to develop.
- f. Other Engineering Matters – Community Sewer System Agreements: Mr. Utschig submitted a proposal to discuss how the calculations can be done for the community sewer users. The proposal also includes creation of guidelines for users, to create a uniform method of calculating the amount. This proposal also includes the creation of a form to standardize the calculation and will include guidelines and timeline for maintenance. The second phase is to review the formulas currently in place. The goal is to have a standardized approach to the community sewer systems and the related permanent maintenance agreements. Chair Malwitz noted that he thinks the current formula requires associations to hold too much in reserve funds. He mentioned speaking with a CT actuary about actuarial adequacy, and the term has no meaning outside of CT law. Chair Malwitz briefly reviewed Langan’s letter regarding the plan. T.E. Lopez stated that associations generally review their budgets in April, and the Authority should consider this time period. Langan is authorized to complete Tasks 1, 2 and 3 of this work for a subtotal of \$6,600 and prepare the indicated report. The remaining tasks will be considered subsequently.

Mr. Utschig submitted a proposal for an INI (in-flow and infiltration) study to determine what and where there is unwanted flow infiltrating during rain events. By doing this study and hopefully rectifying unwanted infiltration, the flow to the Danbury plant will be decreased and the bill reduced. The pumps wear out faster, and there are vulnerable points in the system when unexpected additional flow infiltrates the sewer line. The proposal lays out a work plan, and breaks down the overall work into four stages, for the primary purpose of funding the project. The four phases cover one-hundred percent of the system. The concentration will be on the higher volume and infiltrated areas, and the work will most likely take one year to complete all of the phases. Mr. Utschig distributed copies of the INI study proposal to the Authority. The Authority briefly reviewed the proposal. Mr. Utschig stated that the monitoring equipment would need to be installed within the next thirty days, so monitoring may occur during the rainy season. If the data is not collected during the rainy season, the data will not be of use. The WPCA reviewed the amount remaining in the testing and studies line item. Mr. Utschig suggested that the Authority review the proposal, and thoroughly take sufficient time to plan properly for the study. Mr. Utschig explained that this is an investigative process. Chair Malwitz stated that phase one, which includes the monitoring, can be done now, and R. Prinz

stated that this is something that should be budgeted for, and not taken out of the operational line item. R. Prinz suggested that the studies and testing line item be increased in the future budget proposal. The Authority agreed to move forward with Phase 1 of the INI study to get started for \$2,500 this fiscal year.

- Rollingwood – Mr. Utschig reported that the correct estimate is \$589,000. The Authority reviewed the documentation of the easement amounts, which were \$29,000 and \$16,613. The cost of the easements will be approximately \$46,000. The projected cost of \$589,000 will now be estimated at \$617,000.

## 5. Accountant Report

- a. Monthly Financials – Matt Allred presented the Accountant Report.
- b. Danbury Charge Accounting – M. Allred presented the Annual Analysis of Danbury Fees. Upon inquiry from T.E. Lopez, M. Allred replied that the average from 2011 to 2015 is \$0.0023, which is the recommendation based on the trend line analysis. K. McPadden stated that every month she does a journal entry based on R. Prinz's gallons used number. Chair Malwitz stated that the bill to Danbury based on the agreement is paid forward one year. The money that was planned will be then credited back to the unrestricted account. The rate will be changed to \$0.0025 per gallon.
- c. Sewer District Accounting for Benefit Assessments – *This item had been discussed earlier in the meeting.*
- d. Controller's request – K. McPadden stated that the payroll company cuts three (3) checks per month to the Town for pension, health insurance and AFLAC, and Controller Leverage has requested that the WPCA submit one check for the entire year at the beginning of the year, to cover these expenses, instead of the monthly checks. Chair Malwitz asked that this be split into two payments (July and January) rather than one, and that some sort of written agreement between the Town and the WPCA is drawn up, and to have the accounts "trued up" before the second payment is made.
- e. Budget Update – P. Kurtz stated that he has held a number of sessions with K. McPadden and R. Prinz to draft this budget. P. Kurtz presented the proposed budget to the Authority. Lawn maintenance will be continued by the company hired by the WPCA, rather than by WPCA employees. R. Prinz mentioned that the WPCA is paying a high amount for gas prices, as they are using the Town's fuel, and the Town has not yet re-negotiated a contract. The Authority also reviewed the proposed capital expenses. P. Kurtz recommended that the user fees be increased, as they have not been increased in the past three years. He suggested raising the user fees by \$10 per unit per year. Atty. Sienkiewicz stated that other Towns set their rates every year in a public hearing around the same time as the budget adoption. R. Prinz supported the increase, stating that history shows that the Authority usually waits until the budget is in the red to increase the rate. The railroad pump station upgrade amount will be moved from major capital projects to operational capital projects. Atty. Sienkiewicz noted that the cost for Rollingwood should be increased to what was discussed earlier during this meeting. R. Prinz asked that future budget proposals include the previous fiscal year's operating costs. K. McPadden reviewed the accounts with the Authority, for clarification. **L. Trojanowski-Marconi made a motion to approve the budget.** There was no second to the motion. Chair Malwitz asked that the suggested revisions from tonight's discussion be made to the draft agenda and discussed and voted on at the March WPCA meeting. Chair Malwitz suggested that a rate increase, if any, will be better supported after the Water Pollution Facilities Control Plan is updated later this year.

## 6. Employee Activity Reports (Roger, Dave, Kristi, Mary): R. Prinz, D. Will and K. McPadden presented their employee reports.

R. Prinz presented the Maintenance Manager's Report:

- Construction Projects Planned:

- Rollingwood will need an updated cost estimate, which is approximately \$589,000. Per D. Will, all of the owners are aware that they will be assessed.
- Brooks Quarry Sewer: Additional funding straightened out; need to award bid to contractor; target completion date is September 2016
- Active Construction Projects:
  - High Meadow Sewer Extension: This is under the maintenance period which expires in January 2017.
  - Outstanding issues: minor restoration items
- Federal Road Sewer Improvements:
  - Force Main Repair and Air Release: completed, less final restoration
  - 777 Federal Road Pump Station: Generator, pumps and control panels manufacturing is in progress
  - North Station & Railroad Station: Same as previous
- Additional Work:
  - North Pump Station and 777 Federal Road Pump Station will be retrofitted in existing valve chambers with provisions for maintenance and bypass
- Monitoring System: Pump run times are now being picked up when soft starters are in bypass. This required addition of extra contactors.
- Inactive Projects:
  - Commerce Road Pump Station: in maintenance period
- Water Pollution Control Plan: Langan has been assigned to this project.
- MBO Progress:
  - Capital Projects: *noted above*
  - OSHA Requirements and Training: OSHA 10-hour training – ongoing
  - Infiltration Investigation – Manhole sealing product pans suggested, Langan meeting for full approach ongoing matter
  - Process Procedure Manual: The outline has been finished, and a complete draft is due by June 30, 2016
  - Personal development is ongoing.
- Misc.:
  - Claim against Eversource is ongoing
  - Main breaker at Stony Hill PS needed replacement. There was a seamless transfer and operation on the generator set for two days.
  - Attended meeting at Langan with two commissioners
  - Items covered infiltration, GIS Update, permanent maintenance agreements and reporting forms.

D. Will distributed the Inspector's Activity Report:

- Grease/Grit Separator: Grease traps are due for inspection this month and are in progress.
- Notes: D. Will has been working with P. Kurtz and T.E. Lopez regarding the use charge committee. D. Will has not yet completed an excel file for comparison due to pump station issues that need attention. The WPCA has made good progress and has found some businesses that need to be re-surveyed due to heavy water use. There may need to be some regulation changes as this matter progresses.
- Construction Activity:
  - Barnbeck is 95% complete. The North building is flowing. The South building is still in the construction phase and not connected. The grease trap for the barn is installed, but the building has no interior and is not connected.
  - 355 Federal Road: This project is complete and flowing. The WPCA is waiting for an as built to complete this project.
  - 533 Federal Road: No progress.
  - 777 Pump Station: No progress this month.

- Surveys: D. Will has a few surveys to be completed after grease trap inspections.
- Field Service: The owners of 777 Federal Road are digging test pits in anticipation of future construction. The WPCA had a bad main power breaker at Stony Hill that has been repaired.
- The WPCA had some electrical issues at Sand Cut Road which have been rectified.

Kristi stated that she has been in touch with Invoice Cloud, and now will have to speak with M. Allred about future options.

**8. Legal Matters**

- a. Rollingwood Project – *This item was discussed during engineering reports.*
- b. Permanent Maintenance Agreement Update – *This item was discussed during the engineering reports.*
- c. Other legal matters – Branhaven paid and Wahlberg paid. Atty. Sienkiewicz has been in touch with Atty. Lewis. At the north station, the easement map may not have been filed properly. This matter will be researched.

**9. Other WPCA Business**

- a. Sewer Service Map Updates (Quarry Road) – K. McPadden briefly reviewed the map. K. McPadden reviewed some of the administrative revision suggestions to the current map. Atty. Sienkiewicz advised as to which administrative versus regular changes would be appropriate. This matter will be detailed next month, with property addresses and further information.
- b. Use Charge Study Sub-Committee Update – T.E. Lopez stated that there is no concern with the delay, and the plan is to meet tomorrow to work on the spreadsheets. This has been a challenge due to the comparison of metered and un-metered businesses.
- c. Website Upgrades – Chair Malwitz stated that there is a problem with the service for GoDaddy, which is a matter within GoDaddy. He would like to spend some money on the website, but the email accounts will remain the same. This expense would be put under other administrative expenses.
- d. Other WPCA Business – No motions.

**10. Vouchers: The Authority reviewed the vouchers. L. Trojanowski-Marconi made a motion to approve the vouchers. M. Brown seconded the motion, and it carried unanimously.**

**11. Adjournment: At 10:54 PM, L. Trojanowski-Marconi made a motion to adjourn the meeting. P. Kurtz seconded the motion, and it carried unanimously.**

\*\*\* Next meeting March 23, 2016 \*\*\*

## FEDERAL ROAD SEWER PROJECT

### RESOLUTION APPROVING SUPPLEMENTAL BENEFIT ASSESSMENTS

Whereas, the Brookfield Water Pollution Control Authority has constructed improvements to the Brookfield Sewer System known as the Federal Road Sewer Extension and has conducted a public hearing and has given due consideration to the comments of the public presented at such public hearings:

Now Therefore, be it resolved as follows:

1. Pursuant to resolutions adopted by the Authority on June 23, 1993 and July 28, 1993, as amended by resolution adopted on March 21, 2007 and by resolution adopted on April 22, 2015, the Authority hereby levies a supplemental benefit assessment against each of the properties and the owners thereof as set forth on **Schedule A** as such properties have been improved subsequent to October 1, 2014 to increase their assessed valuation for tax purposes. The supplemental benefit assessments are in an amount equal to **4.65%** of the property's equalized assessed value as of October 1, 1983, less any applicable credits as more fully described in Section 7 of the Authority's resolution of March 21, 2007, as modified by the Authority's resolutions of January 11, 2012 and April 22, 2015.

2. Such supplemental benefit assessments shall be due and payable on **June 1, 2016**, provided however, that at the option of the owner, the supplemental benefit assessment may be paid in **six (6) equal installments**, the first of which shall be due on **June 1, 2016** and with subsequent installments due on June 1 of each subsequent year, together with interest on the unpaid principal amount of such supplemental benefit assessment at the rate of 5.5% per annum; provided further, however, that if any such installment remains unpaid for thirty (30) days after the same shall become due and payable, then at the option of the Authority, the entire unpaid balance of such benefit assessment, together with all unpaid interest, shall become immediately due and payable. The Authority shall have all of the rights provided by Section 7-254 of the Connecticut General Statutes, as amended, with respect to delinquent assessments.

3. Any property owner subject to such supplemental benefit assessment may prepay any or all installments for which such property owner is liable at any time prior to the due date thereof and no interest on any such prepaid installment shall be charged beyond the date of such payment.

4. The Executive Administrator of the Authority is directed to cause notice of the levy of such supplemental benefit assessments *and of the due date for payment of such supplemental benefit assessment* to be published twice in a newspaper having circulation in the Town of Brookfield and in the Brookfield Yankee Pennysaver, the first such publication to be not later than April 29, 2016, and the second such publication to be not later than May 13, 2016, and to mail a copy of such notice, and of such supplemental benefit assessment, to the affected property owner at the owner's address as shown on the last completed grand list, or to any such subsequent address of which the Authority may have knowledge, not later than April 29, 2016.

**SCHEDULE A**  
**Supplemental Benefit Assessments**

<u>Property Owner</u>		<u>Property Address</u>	<u>Supplemental Benefit Assessment</u>
Shaikh, Muhammad N.	1	Oak Branch Drive	\$ 4,011.39
Healy, Christine M.	3	Oak Branch Drive	\$ 3,923.00
Sullivan, Lauren & Murphy, Edward	4	Oak Branch Drive	\$ 3,923.00
Corcoran, Mary Ann	5	Oak Branch Drive	\$ 4,011.39
Bray, Carol Ann	7	Oak Branch Drive	\$ 3,494.42
Barnhart, Jeannie K.	10	Oak Branch Drive	\$ 2,946.23
Lercara, Valerie	14	Oak Branch Drive	\$ 2,946.23
Treibet, Travis and Trevor	15	Oak Branch Drive	\$ 2,946.23
Svege, Thor Sigund Jr. & Mortensen Kimberly Dyer	16	Oak Branch Drive	\$ 2,946.23
Handal, Victor H.	18	Oak Branch Drive	\$ 3,706.56
Handal, Victor H.	19	Oak Branch Drive	\$ 3,494.42
Denyko, Richard M.	20	Oak Branch Drive	\$ 3,494.42
Handal, Victor H.	22	Oak Branch Drive	\$ 3,494.42
Handal, Victor H.	23	Oak Branch Drive	\$ 3,494.42
Handal, Victor H.	24	Oak Branch Drive	\$ 3,564.50
Handal, Victor H.	25	Oak Branch Drive	\$ 3,564.50
Molliqi, Theresa	26	Oak Branch Drive	\$ 3,494.42
McGivney, Robert B. & Denise M.	29	Oak Branch Drive	\$ 2,956.74
DaSilva, Irene M.	30	Oak Branch Drive	\$ 2,956.74
Ilyas, Sameel	17	Old Oak Drive	\$ 3,700.03
Newtown Capital Partners, LLC	21	Old Oak Drive	\$ 3,668.81
Isgro, Rosemarie	4	Riverview Court	\$ 2,883.77
Papile, Rosemarie	25	Riverview Court	\$ 2,857.34
So, William Johnghan	40	Riverview Court	\$ 2,883.77
Martins, Carlos M. & Katherine Rose	42	Riverview Court	\$ 2,453.28
Ventura, Americo S. & Lucinda N.	111	Still Water Circle	\$ 3,859.89
McGuire, Frances	112	Still Water Circle	\$ 3,433.86
Eckert, Peter & Debbi Jacobs	113	Still Water Circle	\$ 3,055.60
Pitt, Bonnie M.	114	Still Water Circle	\$ 3,266.79
Tomasko, Helen Flanagan, Trustee	122	Still Water Circle	\$ 3,433.86
Anderson, Claudia S. & Jon M.	123	Still Water Circle	\$ 3,220.44
Castagna, Angelina & Carlo	131	Still Water Circle	\$ 3,859.89
Flynn, Ida. M	132	Still Water Circle	\$ 3,433.86
Dougherty, Dennis M. & Judith B.	134	Still Water Circle	\$ 3,266.79
Castagna, Michele	135	Still Water Circle	\$ 3,859.89
Bilodeau, Ginette	214	Still Water Circle	\$ 3,266.79
Amanzio, Anthony J. & Virginia F.	225	Still Water Circle	\$ 3,859.89
	30, 40,		
Laurel Hill Residences, LLC	50, 64	Laurel Hill Road	\$ 56,742.68
CMGC, LLC	4	Elbow Hill Road	\$ 24,043.64