

# BROOKFIELD WATER POLLUTION CONTROL AUTHORITY

Wednesday, October 23, 2019 7:00 p.m.

53A Commerce Road, Unit 1

## MINUTES

1. **Convene Meeting:** Chair N. Malwitz convened the meeting at 7:00 p.m.  

<b>WPCA:</b> Chair N. Malwitz L. Donovan T.E. Lopez M. Del Valle J. Murray	<b>Others:</b> R. Prinz, Maintenance Manager D. Will, Inspector T. Strid J. Sienkiewicz, Attorney C. Utschig, Langan Engineer M. Allred, Accountant J. Siclari, Director K. McPadden, Executive Administrator M. Ongaro, Collector A. Kennedy, Recording Secretary
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2. **Approval of Minutes** – 9/25/19 - **T. E. Lopez made a motion to approve the minutes from 9/25/19. M. Del Valle seconded the motion and it carried unanimously.**
  
3. **Correspondence**
  
4. **New Business**
  - a. 30 Pocono Road-Vacate Connection Permit & Authorize Return of Escrow - K. McPadden noted the property owner had gotten a permit to connect and install a grit separator but recently sold the building and would like to vacate the permit and have the escrow refunded. The new owner does not wish to connect at this time.  
**T. E. Lopez made a motion to honor the request to vacate the permit for grit separator and return the balance of the escrow account [for 30 Pocono Road]. L. Donovan seconded the motion and it carried unanimously.**  
**A motion was made by N. Malwitz to add 4b. 800 Federal Road and 4c. 60 Candlewood Lake Road to the agenda. The motion was seconded by L. Donovan and passed unanimously.**
  - b. 800 Federal Road – Application for Grease Trap Waiver  
*Jennifer Casa, tenant at 800 Federal Road, was present on behalf of the application.* J. Casa said she has leased the space at 800 Federal Road to open a café. Chairman N. Malwitz noted the property owner did not provide a grease trap when they built the unit. D. Will explained that initially when the building was built, they ran the grease trap line to Subway and stopped there, not continuing inside the building. He said now the floor would have to be dug up through 4 units in order to get the line to J. Casa's unit. There is no room outside to install a grease trap for this unit. C. Utschig said this waiver proposal meets the WPCA guidelines, and if the WPCA approves this proposal for a Grease Inceptor Unit, they should meet some of the minor comments in Langan's report to get the application in compliance with the WPCA rules and regulations. He said it is an appropriate use, and appropriate system and given the circumstances, he thinks it is the right way to go. Chair N. Malwitz said in his discussion with the Property Manager, Alan Rothman, he suggested that when they build the final two

buildings that they put a grease trap in the parking lot as a permanent fix, and A. Rothman was good with that. D. Will said in his opinion, this proposed unit is equivalent to a 1,000-gallon grease trap and therefore this unit would not need to install another external grease trap. Attorney J. Sienkiewicz asked about the length of use of this system, and D. Will said it will be capable to handle any restaurant use that occupies that unit based on the size of the building. D. Will said it is a permanent fix for that unit. D. Will said that because it is a brand-new system that has never been used in Brookfield, they will inspect it once a month in the beginning and then move to once every three months. T. E. Lopez asked if approving this unit would set a precedent for the future. D. Will noted that any applicant seeking to use this system would need to apply for a grease trap waiver, and the WPCA would be able to decide on a case by case basis. Chair N. Malwitz noted for the record that it is still possible to install an external grease trap on this property and all future spaces should have the ability to connect. Attorney J. Sienkiewicz and the Authority members discussed the conditions on which this waiver could be approved, in order to avoid similar situations in the future. **T. E. Lopez made a motion to approve the Grease Trap Waiver and allow for installation of a Grease Interceptor Unit for 800 Federal Road on behalf of Brookfield Village LLC, the owner of the property, subject to compliance with all outstanding conditions remaining in Langan's recommendation of approval. The approval is further subject to the requirement that the owner resubmit the application for approval of the remaining buildings so that the WPCA can be assured that each unit will be serviced by external grease traps so as not be faced with the proposition of the owner requesting a waiver of that requirement in the future. Any further work or approvals for the remaining permits on the remaining buildings at 800 Federal Road will be suspended until the owner shows the WPCA that each commercial unit will be served by an external grease trap. L. Donovan seconded the motion and it carried unanimously.**

- c. 60 Candlewood Lake Road-*William and Erica Sautner were present.* W. Sautner said his home is currently on a septic system, but he would like to connect to the sewer line running along Old Sherman Turnpike. He said when they bought the house in 1995 the septic system was already 35 years old, and they were told if it failed, they could connect to the sewer. He said he inquired about making the connection with Pembroke Plumbing, and was informed that the rules have changed. Chair N. Malwitz said they would have to show that the septic system has failed and must provide written certification by a professional engineer, properly licensed, or by the Town Sanitarian or Health Officer, that it is not feasible to repair or replace the failed system on site or to make an onsite connection that would be sufficient to prevent continued unreasonable pollution of the ground water. He read specific requirements from the WPCA regulations, explaining what documentation would be necessary for the WPCA to authorize the connection. He suggested W. Sautner start by speaking with Paul Avery, Town Sanitarian. C. Utschig said the sequence of steps is to first go to the Town Sanitarian. If he says the system is in failure and a compliant system cannot be built on the lot, the applicant would then have to have a plan drawn on how to connect and submit the package to the WPCA with an application to be considered.

**5. Old Business**

- a. 401 Federal Road - Force Main Location - R. Prinz said he dug test holes to locate the Force Main, and before they get a permit for the new shopping center, the applicant is going to grant the WPCA an easement for adverse possession of the property. C. Utschig submitted a drawing of the property, and explained the details of the design. He also discussed the 133 Pump Station and options for the project. He said Langan has a report with all of this information summarized, including costs, and the WPCA should get that report in the next week or so. R. Prinz said this proposal makes sense for the short term, but is not a long-term fix and does not address his problems with the pumps. C. Utschig said they should continue to work on the permanent solution, working out some of the unknowns, so that they can put it in the budget at the appropriate time.

**6. Accountant Report**

- a. Monthly Financials - M. Allred discussed the monthly financial report.
- b. Danbury Bill - M. Allred said they still have to do their write-up and analysis.

**7. Employee Activity Reports (Roger, Dave, Mary, Kristi)**

**Roger:** R. Prinz distributed his Maintenance Manager Report and reviewed the details. He said the bid packages are out for Old New Milford Road project. The pre-bid meeting will be held on October 30<sup>th</sup> at 2pm. He said for the 133 Pump Station upgrade, he met with Steiner and engineers. He discussed the Candlewood Lake Area sewer study and said Pio asked Tim to dig 6-foot holes in the ground and they rented a machine to assist with the work. He discussed the issue he had with the monitoring system and said Andy and the electrician have disabled the online pump controls. They are waiting for a proposal for selectable override. R. Prinz discussed easement maintenance, noting the change in leadership with A to Z, and said they mowed about 9,000 feet of the easements. He said the Maintenance staff took a 4-hour snow removal training class thru CIRMA. He said T. Strid did some weekend on-call duty. R. Prinz said the maintenance truck will be equipped with utility racks for CSE equipment and hand tools.

**Dave:** D. Will distributed his report and reviewed the details. He said grease trap inspections have not yet started for this quarter and will progress in the next few weeks. He said Phase 2 is complete for the Four Corners Project and he will work on surveys this week. He noted progress is being made at 15 Federal Road; Franky's at 270 Federal Road is being fitted now and they are hoping to open at the end of October; there is a pop-up Halloween store at 14 Candlewood Lake Road; the new Marketplace restaurant is under construction and the owner wants to open by the middle of November; they are getting some tenant fit ups at 450 Federal Road; there are a few businesses coming to the warehouses on Silvermine; and they have raised 6 sanitary manhole frames this fall. He noted he is working on some billing/unit issues with M. Ongaro. He also said he sent out a survey to members of his grease trap task force, asking for feedback regarding fees for grease trap inspections, and should have a report next month so the WPCA can determine if they should start charging for their inspections.

**Mary:** M. Ongaro said she has been working with J. Siclari on the procedure process. She said she will attend a class in November on Customer Service. She said she is working to catch up on the property transfers before the next billing cycle.

**Kristi:** K. McPadden said she is still working on the financial policies. She said she will hopefully send them out next week and the members will have time to review them for discussion at the next meeting. She said the bid advertisement went out and the cost for the News Times was over \$900; she asked if the notice could be smaller in the future.

Attorney J. Sienkiewicz suggested putting the advertisement on the website and only publishing in the newspaper an announcement to read the notice on the website. K. McPadden said she been compiling the properties for the next benefit assessment and has sent out easement letters.

**John:** J. Siclari distributed his report and discussed the details. He discussed the Facilities Plan and the Candlewood Lake sewer study. He said the TCD Phase 2 Street Scape construction is completed and the WPCA is in the process of reviewing plans for Phase 3. He said the GIS Collector and Asset Manager is moving forward and they have a meeting in November to get an update from Langan. Future Subnets has started the migration to the new server. He said the maintenance staff is still working on fitting issues with Cintas Uniform Service. He said they are working on pay policies with Paychex and are attending a seminar on Thursday with Loretta. He discussed the Lower Federal Road improvements and the plans are under review. John mentioned that a meeting is set with CIRMA to review insurance coverage on November 18<sup>th</sup>. He discussed the punch list for 53 Commerce Road. He discussed the next steps for CT Multimedia.

#### 8. Engineer Comments/Project Update

- a. Brookfield Market Area Update - C. Utschig reviewed the drawing with the Authority and said they completed the preliminary design of the sewer line river crossing and going out to Federal Road. He also discussed the costs, including the average cost for each individual use, and said the next steps are up to the Authority. Attorney J. Sienkiewicz discussed Tucks Road access and issues regarding easements. J. Siclari and C. Utschig discussed possible expansion of the system if there is development in the area. Graphics and cost estimates will be prepared for presentation.
- b. Route 133 Station Improvements - Previously discussed.
- c. Alternative Grease Traps - C. Utschig said the regulations stand on this issue, and the WPCA can suggest recommended alternative grease trap solutions to those seeking a waiver.
- d. Other Engineering Matters - None

#### 9. Legal Matters

- a. Proposed Use Charge Regulation Amendment - Attorney J. Sienkiewicz discussed the issue with the units being charged for the CrossFit business, the current regulations being applied and his proposed modifications to the formula used in the calculations. **T. E. Lopez made a motion to authorize WPCA staff to reduce the number of units billed to CrossFit, 1114 Federal Road, from 6 units to 3.75 units, pending further review of the WPCA regulations. M. Del Valle seconded the motion and it carried unanimously.**
- b. Permanent Maintenance Agreement Updates - Attorney J. Sienkiewicz said he sent out three letters and a soft letter to Silvermine Manor. He explained the history of the Silvermine Manor agreement and said he spoke with their property manager regarding a schedule to get back on track.

- c. Proposed Licensing Program for Private Pump Stations - Chairman N. Malwitz said he read through the regulations and said they can charge an inspection fee. The Authority members discussed the implementation of inspection fees for pump stations and grease traps. The suggestion is to charge \$80 per year, billed semi-annually. A regulation change and formal program is needed.
- d. Delinquent Collections - M. Ongaro said Chairman N. Malwitz asked for a report on all accounts that were delinquent for \$1,000 or more, and she distributed the report to the Authority members. She said the report is not organized by date and are combined for both sewer use and assessments. Chairman N. Malwitz said it totals over \$250,000 overall. He discussed the possibility of using a collection company to assist. He said the Town uses a company called Tax Serve and they charge a 15% fee, but add it on so the customer pays the charge. The Authority members discussed the pros and cons of using a collection company versus the procedures already in place. N. Malwitz also discussed a company called Trans World Systems Inc., and said they have a 120-day program using a soft neighborly contact. He said they charge \$800 for 50 accounts. He said the WPCA could issue a notice via mail to customers stating they have a new system in the office, and if they do not hear from them in 10 days their accounts will be automatically transferred to Trans World Systems for professional collection, and if their account goes in to collection, a fee may be added.
- e. Other Legal Matters - None.

**10. Other WPCA Business**

- a. Old New Milford/Federal Rd Force Main Update - Previously discussed.
- b. North Federal Rd. Valve Pit Update - Previously discussed.
- c. Flow Meters Cedarbrook & Stony Hill Update – Previously discussed.
- d. Candlewood Lake Area Sewer Study Update - Chairman N. Malwitz discussed the progress of the study, and some of the data collected.
- e. CDM Smith Facilities Plan Update - Chairman N. Malwitz said they are supposed to attend the November WPCA meeting and will have a pump station report. He said they should fine tune their list of how they charge the units.
- f. Dean/Pocono Roads Section 319 Grant and LISFF Grant Update - Chairman N. Malwitz said they have been turned down for both grants.
- g. 2020 Meeting Calendar - K. McPadden distributed the proposed calendar. Chairman N. Malwitz asked that this item be tabled until next month.
- h. Other WPCA Matters - No discussion.

**11. Vouchers - T. E. Lopez made a motion to approve the vouchers as presented. L. Donovan seconded the motion and it carried unanimously.**

**12. Adjournment - T. E. Lopez made a motion to adjourn at 10:00 p.m. M. Del Valle seconded the motion and it carried unanimously.**

\*\*\* Next Meeting November 20, 2019 \*\*\*