

## **BROOKFIELD WATER POLLUTION CONTROL AUTHORITY**

Wednesday, March 28, 2018 Room 133 7:00 p.m.

### **APPROVED MINUTES**

1. **Convene Meeting:** Chair N. Malwitz convened the meeting at 7:00pm and introduced the members of the Authority.

#### **WPCA:**

N. Malwitz, Chair  
L. Trojanowski-Marconi, Vice Chair  
T.E. Lopez  
J. Murray  
L. Donovan  
M. Delvalle

#### **Others:**

J. Siclari, Director  
R. Prinz, Maintenance Manager  
D. Will, Inspector  
E. Kingsbury, Engineer  
J. Sienkiewicz, Attorney  
K. McPadden, Executive Administrator  
M. Ongaro, Collector  
A. Kennedy, Recording Secretary

- ❖ **7:00 p.m. Public Hearing: 2017 Levy of Supplemental Benefit Assessments**-N. Malwitz read the Legal Notice of the Public Hearing and opened the Public Hearing. N. Malwitz explained the sewer extension was installed in 1993 and that extension cost \$3.2 million. He then explained how the assessment was calculated. N. Malwitz said all of this is heavily governed by State law, and they are applying the State law. He explained the assessment can be paid off all at once, or in four installments. A lien will be place on the property until it is paid off. He explained 5.5% interest will be due on any unpaid balance. A member of the public asked if the builder of the property was responsible for any of these fees, and N. Malwitz said no, but it should have been explained in their disclosure documents. A member of the public asked about why other homes in the area didn't appear on this assessment. N. Malwitz explained this assessment was for the homes that were purchased between October 1, 2016 and September 30, 2017. Other homes were previously assessed, and any homes closing after October 1, 2017 will be assessed next year. A member of the public asked when this payment will be due and N. Malwitz said they will get a bill by June 1, 2018 and will be delinquent after July 1. R. Prinz asked if the Chairman Malwitz could explain the elderly deferment policy. N. Malwitz said there is an elderly deferment if you are over 65 or disabled and your income is below a State level, roughly \$55,000. L. Donovan said she thinks it is \$55,000 for a family and \$45,000 for an individual. N. Malwitz said they would have to apply for the deferment with the Town and the WPCA every year. L. Donovan said they would go to the Assessor's office to fill out paperwork. K. McPadden said this afternoon they got a call from a resident at 17 Short Oak Drive that he had appealed his assessment with the Board of Assessment Appeals because he has an incentive unit. There is another unit, 4 Short Oak Drive, and both of their assessments have been lowered by the Assessor. A member of the public said there are two incentive units at Laurel Hill as well, but she does not know the numbers of the units. N. Malwitz said if there is a change or a clerical error, the WPCA will fix it. Following discussion, **L. Trojanowski-Marconi made a motion to close the public hearing. T. E. Lopez seconded the motion and it carried unanimously.**

2. **Approval of Minutes-2/28/18-** **L. Trojanowski-Marconi made a motion to approve the minutes from February 28, 2018. L. Donovan seconded the motion and it carried unanimously.**
3. **Correspondence**
  - a. Letter dated 2/27/16 from Woodard & Curran to CT DEEP Re: Trident, 1114 Federal Rd. Effluent Violation

- b. Letter dated 3/16/18 from Woodard & Curran to CT DEEP Re: Trident, 1114 Federal Rd. Certification Report

R. Prinz said Trident is a manufacturer in Town whose discharge has to be tested and reported to the State of CT. It appears that Trident violated the state standard for discharge criteria, and send the results to the State DEEP, with a copy to the WPCA. K. McPadden said the second letter, the Certification Report says that the violation has been cleaned up. R. Prinz said the State of CT is going to be relying on the WPCA to be reviewing these reports and will be responsible for permitting. R. Prinz suggested we send a letter to Trident stating we received the letter informing us that they have exceeded the discharge criteria, and in the future we ask that any paperwork for the discharge be submitted to the WPCA at the same time. L. Donovan asked if the WPCA is going to be responsible for this process, how much more work is this going to require. R. Prinz said he is not sure how many people or businesses in the Town they will be responsible for.

#### 4. New Business

- a. To act upon Proposed Levy of Supplemental Benefit Assessments- J. Sienkiewicz explained the need to amend the supplemental benefit assessments for 4 Short Oak Drive and 17 Short Oak Drive to reduce their assessments to \$2,987.90. J. Sienkiewicz also stated that an amendment is needed at the end of paragraph one to add "staff is authorized to adjust the supplemental assessments downward for any unit(s) that are determined to have been over assessed for tax purposes because they are incentive housing units". **L. Trojanowski-Marconi made a motion to adopt the Resolution as amended. T. E. Lopez seconded the motion and it carried unanimously.**
- b. 20 Old Gray's Bridge Road-Request for Permit Extension- K. McPadden said at this time of year there are about 4-5 properties that were approved to connect but never connected, so she sent out letters giving them a deadline of this meeting to request a permit extension. K. McPadden said 20 Old Gray's Bridge Road was approved in March of 2012, and have gotten several extensions. See motion under 1055 Federal Road.
- c. 23-41 Gray's Bridge Road-Request for Permit Extension- K. McPadden said 23-41 Gray's Bridge Road was approved in May 2007. See motion under 1055 Federal Road.
- d. 77 Vale Road-Request for Permit Transfer & Extension-K. McPadden explained that 77 Vale Road was approved in September 2008. K. McPadden received a request to transfer the sewer connection permit from the former owner, Joseph and Carma Cruz to T.D. & Sons, Inc., 34 Sunset Hill Road, Bethel, CT and request a 2-year permit extension. **T. E. Lopez made a motion to approve the request for transfer and permit extension for 77 Vale Road, noting the original permit was issued in 2008 and this will be the last extension granted for this property. L. Trojanowski-Marconi seconded the motion and it carried unanimously.**
- e. 470 Federal Road-Request for Permit Extension-M. Lillis, CCA, LLC was present to speak on this application. K. McPadden said 470 Federal Road was approved in 2010. K. McPadden said they submitted a design review amendment to the Zoning Commission and she noticed that the sewer lines coming out of the building were changed from the original approved plan. K. McPadden sent the plan to Jeff and Chuck and they recommended it come back to the Commission for a revision. M. Lillis said there has been some grading done on the lot and the foundation is in place for the project that has been approved. M. Lillis said they are currently approved for an 18,000 square foot footprint and they have recently processed a modification for a smaller footprint to the Zoning Commission. The property will continue to

- be owned by Minino Homes with two rental units, with tenant interest from Dollar General. There will be a single sewer line, with a single grease trap line and a single connection point, the same as approved in 2010. The original approval was for 5 units and a little over 18,000 square feet. This proposal is smaller and less complicated because it is no longer for industrial condominium units. K. McPadden asked M. Lillis to also send her the revised plans when he submits them to E. Kingsbury.
- f. 470 Federal Road-Request for Permit Amendment-K. **-L. Trojanowski-Marconi made a motion to approve the application for permit modification subject to compliance with engineering modifications as to be required by the Authority's Engineer, subject to the requirement that the building remain in single ownership as opposed to the prior industrial condominium project and subject to the same conditions as originally required in the permit approval of November 8, 2010. T. E. Lopez seconded the motion and it carried unanimously.**
  - g. 30 Pocono Road-Request to Connect to Sewer-K. McPadden explained that Pepsi moved out a while ago and the owner has a potential tenant, a landscape equipment business, to move in. He would like to connect to sewer and install an oil/grit separator. Mr. Schwartz the owner of the building has submitted plans from his plumber and asked if he would need an engineer to draw the plans. E. Kingsbury said he will need an engineer to sign and seal the plans. R. Prinz said they left a connection for him and he is going to convert from an on-site system to pumping it up to our system. J. Siclari said Fran mentioned at the Development Meeting that the owner would need to apply for a permit to make this change because of the aquifer. N. Malwitz said Langan should write an opinion letter on what they submitted and what they need and they will be subject to the 2% Capital Cost Recovery and asked if they have ever been assessed. K. McPadden said they have never been assessed. K. McPadden said she believes it is the use that is not permitted in the aquifer protection zone and that is why they have to go before Zoning. **T.E. Lopez made a motion to accept the plans for 30 Pocono Road for review with \$2,250 in inspection and engineering review fees and forward the application to the Engineer. J. Murray seconded the motion and it carried unanimously.**
  - h. 1055 Federal Road-Request for Permit Extension-K. McPadden said the first extension for 1055 Federal Road expired in 2014. **L. Trojanowski-Marconi made a motion to accept the permit extensions for 1055 Federal Road, 20 Old Gray's Bridge Road and 23-41 Gray's Bridge Road, noting these will be the last extensions granted for these properties. T. E. Lopez seconded the motion and it carried unanimously.**

## **5. Old Business**

- a. 468 Federal Road-Brookfield Mews-This application has been pending since it was tabled in October 2017. **L. Trojanowski-Marconi made a motion to approve the application of Brookfield Mews for the sewer connection for the most southerly apartment building shown on its plan, which will have an independent building sewer to the existing municipal sewer, subject to all the usual conditions and inspections. J. Murray seconded the motion and it carried unanimously.**

**J. Murray made a motion to approve the construction of a community sewer system subject to the execution of the permanent sewer maintenance agreement as drafted by counsel, to serve 7 apartment buildings containing not more than 88 residential rental units, having a total average discharge not to exceed 13,500 gallons per day and one**

**clubhouse for residents having an average discharge not to exceed 650 gallons per day, and with the special condition that the applicant pay \$5,000 upon execution of agreement to meet currently anticipated expenses associated with the application. T.E. Lopez seconded the motion and it carried unanimously.**

**L. Trojanowski-Marconi made a motion to approve the applications for sewer connection permits for the apartment buildings to be served by the community sewer system and the clubhouse to be served by the community sewer system, subject specifically to compliance with the terms and conditions of the permanent maintenance agreement. T.E. Lopez seconded the motion and it carried unanimously.**

**6. Accountant Report**

- a. Monthly Financials-In M. Allred's absence, N. Malwitz briefly reviewed the Monthly Financials.
- b. FY19 Budget-N. Malwitz discussed some specifics of the budget and proposed to send it to the Board of Selectman for their review. **T. E. Lopez made a motion to send the FY19 budget to the Board of Selectman for review. J. Murray seconded the motion and it carried unanimously.**

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

- a. **Roger**-Maintenance Manager Report-R. Prinz said he would like to get a little money for the Commerce Drive discharge manhole so they can do the engineering prior to June 1. He said he would like the same for the south end of Old New Milford Road and Federal Road. R. Prinz said the Rollingwood Sewer Extension is coming along quickly. He thinks they have about 275 feet left to go, and it looks like they will be done by mid-April. He said the following week they will work on their wetlands restoration and he contacted Jodi Chase, the wetlands expert about coming out there. They are now pulling out large boulders, as big as 14 feet long by 6 feet wide and 6 feet tall, needing two big excavators to get them out. R. Prinz said they should come in very close to budget. R. Prinz said they got new computers for the private pump station monitoring which will serve as laptops for the field and also for the office in docking stations. R. Prinz said he is working with US Automation and reported Andy has been making progress on their list of requests. He reported on the TCD Sewer Upgrade, stating that they are working with Greg on Phase II and have a request in for \$20,000 of additional work, some being done by their contractor. He said Chuck is still working on the Water Pollution Facilities Plan. R. Prinz said they are going back to the "Management by Objectives", as requested by John. He said they got the Caldor station grinder out. Unfortunately it was a lot heavier than the crane can handle and had to hire an outside contractor to lift it up. R. Prinz said the Inspector and crew member now have weekly work assignments to help keep track of priorities and cut down on confusion. He said they survived the nor'easters very well. R. Prinz stated he will be contributing to the BWPCA Newsletter going out in June with the bills, and he is also working with J. Siclari on the Safety Manual, which is an ongoing project.
- b. **Dave**-Inspector Activity Report-D. Will discussed his ongoing issues with Full Belly Deli and requested J. Sienkiewicz assist him in getting them to sign an annual contract to have the grease trap cleaned regularly. D. Will said the building owner has been cooperative, but the tenant has not. N. Malwitz said the owner should be made responsible to provide the grease trap pumping contract to the WPCA. D. Will said Franco's is a new restaurant opening at

- 491 Federal Road and he has required they install an under sink unit to go in tandem with the 1,000 gallon in-ground grease trap that they have in the plaza. He said he has a new sheet to do five grease trap inspections per week. He signed the CO for Subway and M. Ongaro will be adding 18 residential units at 800 Federal Road as of April 1<sup>st</sup>. D. Will said all the surveys that can be completed now are up to date. D. Will said 540 Federal Road has now installed pipe for their final phase and should be complete by mid-summer. He said since Roger is inspecting the Rollingwood project he has been working with Chad on maintenance issues. Dunkin Donuts at 7 Federal Road has opened and the fit-up is being done for the adjoining Burger IM. D. Will inspected there this morning and the plumbing and electrical are done. He was also at 640 Federal Road today, where Pulcinella Restaurant is doing an addition. He worked on a pump control issue at the Commerce Road pump station this month, and one at AB Electronics. He said one was our pump station, one was not. **L. Trojanowski-Marconi made a motion to authorize Dave and John to work with counsel to try to obtain an annual service contract for 265 Federal Road. T. E. Lopez seconded the motion and it carried unanimously.**
- c. **Kristi-K.** McPadden said she has spent quite a bit of time working on the budget, including getting benefit and pension budget numbers from the Town. She has been working on the new building with John on the budget, as well as lining up movers, IT, furniture, utilities, etc. The second batch of requested surveys are coming in, and there have been over 100 received. She is entering these into the spreadsheet as time allows. K. McPadden said the final audit work has been sent and Matt has looked at the draft. She ordered 2 laptops but has only had time to set one of them up. T. E. Lopez suggested we look into setting up a Fixed Assets Ledger to keep track of all the equipment we own.
- d. **Mary- M.** Ongaro said she has completed the delinquent statement mailing, sending out about 200 statements. She input the survey data into QDS and is working with the new building where needed. She said once people start sending in their delinquent payments, anyone with a balance after April 30th gets a lien filed on the Land Records. She said the new assessments (from tonight's public hearing) are going into QDS and she is getting ready for the June 1<sup>st</sup> billing, which will show any liens when they print the bills for mailing.
- e. **John-J.** Siclari said the new building is coming along. The builder neglected to put together a fit-up application for our unit so he is in the process of getting that done. Once the rough inspection is done they can start closing up the walls. They have a date set April 9<sup>th</sup> at 9 a.m. to meet with the builder to nail down a closing date, which currently looks like May or June. J. Siclari has been working with K. McPadden to get estimates from subs, and have put together a spreadsheet to track all of the costs. He reviewed the spreadsheet with the Commission. T. E. Lopez asked about leasing equipment rather than buying it - J. Siclari said they can look into a lease option. The Commission discussed the possibility of purchasing a safe for the new office. N. Malwitz said he confirmed with Savings Bank of Danbury today that the mortgage amount will be \$400,000 at 4.5% for 25 years and should get the commitment letter next week. J. Siclari said they have decided to stay with the Town's HR and they are not going to charge us. He noted the WPCA should switch to a .org or .gov website instead of .com since they are a tax-exempt organization. N. Malwitz will set that up. J. Siclari said Greg reported that the preliminary plans for Phase Two have been sent to the State and their construction goal is Spring 2019. J. Siclari noted he will be on vacation April 11-25.

**8. Engineer Comments/Project Update**

- a. Use Charge Study-E. Kingsbury reported K. McPadden has been inputting the surveys into the spreadsheet. T. E. Lopez asked how many people at Langan have been working on this. E. Kingsbury said himself, Chuck and two others. He explained the study has been evolving over time.
- b. Caldor Meter Proposal-E. Kingsbury said they should have it wrapped up by April 13 and will send it over to Roger and Dave so they can review it.
- c. CWF Construction Application Status-Dean Road-Chuck will send out an email with these updates.
- d. CWF Studies Application Status-I&I and Candlewood Lake- Chuck will send out an email with these updates.
- e. Water Pollution Facilities Plan Update- Chuck will send out an email with these updates.
- f. Other Engineering Matters-E. Kingsbury deferred to N. Malwitz to discuss installing a dissolved oxygen meter at either Sand Pit or Cedarbrook station. This item does not need a motion since it will fit under the engineering budget.

**9. Legal Matters**

- a. Permanent Maintenance Agreements-J. Sienkiewicz reported K. McPadden is trying to get Gail Bristol to sign agreement. He has agreements out on Rollingwood as well.
- b. Other Legal Matters

**10. Other WPCA Business**

- a. WPCA New Office Update – This was discussed under John Siclari's report
- b. Other WPCA Matters-N. Malwitz would like to have an executive session at the next meeting to discuss compensation matters and asked K. McPadden to add it to the agenda. L. Donovan will not be at the next meeting.

**11. Vouchers-T. E. Lopez made a motion to accept the vouchers. L. Trojanowski-Marconi seconded the motion and it carried unanimously.****12. Adjournment-L. Trojanowski-Marconi made a motion to adjourn at 9:48 p.m. T. E. Lopez seconded the motion and it carried unanimously.**

\*\*\* Next Meeting April 25, 2018 \*\*\*

**FEDERAL ROAD SEWER PROJECT**  
**RESOLUTION APPROVING**  
**2017 FEDERAL ROAD**  
**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 as modified by resolutions adopted on January 11, 2012 and 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 so as to increase their assessed valuation for tax purposes or have received a certificate of occupancy between October 1, 2016 and September 30, 2017. 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, 2018**, provided however, that at the option of the owner, the supplemental benefit assessment may be paid in **four (4) equal annual installments of principal**, the first of which shall be due on **June 1, 2018** 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 filed in the Office of the Brookfield Town Clerk on April 20, 2018 and 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 20, 2018, and the second such publication to be not later than May 4, 2018, 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 20, 2018.

**SCHEDULE A**  
**2017 Supplemental Benefit Assessments**

<u>Property Owner</u>	<u>Property Address</u>	<u>Supplemental Assessment</u>
LOPEZ, JULIO JR & JULIO SR.	2 LAUREL HILL COURT	\$2,632.59
CORSO, CHRISTOPHER E SR.	3 LAUREL HILL COURT	\$2,360.25
KURTI, ILIRIDA & CATALDO, MICHAEL JOHN	4 LAUREL HILL COURT	\$2,901.12
CAI, CHUAN PENG & REN, QIAO HONG	5 LAUREL HILL COURT	\$2,873.92
VAN ROOYEN, DANIEL H.	10 LAUREL HILL COURT	\$2,873.92
GENOVESE, MARGARET	12 LAUREL HILL COURT	\$2,957.11
RODRIGUES, SERGIO B. & JODIE L. McELWAIN	13 LAUREL HILL COURT	\$3,011.51
HAND, THOMAS	17 OAK BRANCH DRIVE	\$3,456.34
McGUIGAN, CATHERINE C.	19 RIVERVIEW COURT	\$2,708.67
LUSAS, DIANE	20 RIVERVIEW COURT	\$2,708.67
BASKIN, SHELTON MARKIS	21 RIVERVIEW COURT	\$2,708.67
TINO, KRISTINE B.	22 RIVERVIEW COURT	\$2,708.67
DELONGIS, MATTHEW & CHRISTINE	23 RIVERVIEW COURT	\$2,708.67
REO, JULIETTE	32 RIVERVIEW COURT	\$2,580.57
MADHAVAN, KUMAR	39 RIVERVIEW COURT	\$2,580.57
WEBER, THERESA N.	2 SHORT OAK DRIVE	\$3,374.41
SHAH, BINOY & BHUMI	3 SHORT OAK DRIVE	\$3,435.14
GROSKI, ALYSSA	4 SHORT OAK DRIVE	\$2,987.90
CRAIG, SUSAN L.	10 SHORT OAK DRIVE	\$3,435.14
SANTERRE, RICHARD	11 SHORT OAK DRIVE	\$3,435.14
ADNAN, MALOKU & AGNIESZKA	14 SHORT OAK DRIVE	\$3,435.14
BIRNBAUM, WILLIAM	15 SHORT OAK DRIVE	\$3,435.14
EVANS, BLYTHE S	16 SHORT OAK DRIVE	\$3,435.14
VERLEZZA, VINCENT & DOMENIC	17 SHORT OAK DRIVE	\$2,987.90
JACKSON, JENNIFER	18 SHORT OAK DRIVE	\$3,358.44
HANDAL, VICTOR H.	20 SHORT OAK DRIVE	\$3,680.59
HANDAL, VICTOR H.	21 SHORT OAK DRIVE	\$3,435.14
HANDAL, VICTOR H.	22 SHORT OAK DRIVE	\$3,421.54
ABBOT, LEONARD & MARINA	23 SHORT OAK DRIVE	\$3,435.14
GUGLIERI, RUDOLPH P.	24 SHORT OAK DRIVE	\$3,435.14
BONAPACE, ANNA	25 SHORT OAK DRIVE	\$3,504.10
KISH, RAYMOND J. & BONITA G.	115 STILL WATER CIRCLE	\$4,207.51