

# **BROOKFIELD WATER POLLUTION CONTROL AUTHORITY**

Wednesday, February 23, 2022, 7:00 p.m.

## **MINUTES**

### **Zoom Call-In Info:**

<https://us02web.zoom.us/j/86542782284?pwd=UHA5QXB3VjBDUThOOTBndFMvUHVGQT09>

Meeting ID: 865 4278 2284

Passcode: 022322

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

#### **WPCA:**

N. Malwitz  
J. Murray  
M. DelValle  
L. Donovan  
L. Trojanowski-Marconi  
M. Brown

#### **Others:**

R. Prinz, Chief of Maintenance  
J. Siclari, Director  
K. McPadden, Executive Administrator  
M. Allred, Accountant  
T. Strid, Maintenance Crew Member  
J. Sienkiewicz, Attorney  
J. Kelley, Langan Engineer  
A. Kennedy, Recording Secretary

2. **Approval of Minutes** – 1/26/22 - **L. Trojanowski-Marconi made a motion to approve the minutes from 1/26/22 as submitted. L. Donovan seconded the motion and it carried unanimously.**

3. **Correspondence**

- a. Letter from Paul Avery & Dr. Raymond Sullivan dated 2/8/22, Re: Sanitary Sewers for the 277 Whisconier Road (Brookfield Market and apartments), 1 Tuck's Road (one retail space and congregate housing) and 12 and 14 Tuck's Road (industrial and residential) - Chairman N. Malwitz said this correspondence encouraged sewers in the Brookfield Market Area. He said Paul Avery and Dr. Raymond Sullivan also submitted a letter to the Board of Selectmen.
- b. Email from G. Giovanniello dated 2/8/22, Re: N. Malwitz Reappointment to WPCA - Chairman N. Malwitz said that he has been recommended by the Republican Town Committee to serve another term on the Board of the WPCA.

4. **Accountant Report**

- a. Monthly Financials - M. Allred discussed the monthly financial report.
- b. Annual Analysis of Danbury Fees - M. Allred discussed the Annual Analysis of Danbury Fees.
- c. Budget Update - J. Siclari said they are meeting every other week to go over the budget and are moving forward. J. Siclari said they will have something for the Board to review at the next meeting.

5. **New Business**

- a. 14 Candlewood Lake Rd. – Application for Grease Trap Waiver - T. Strid said the Applicant is putting in a mop sink and are not connected to any of the exterior grease traps. They applied for a waiver to install an under the sink grease trap just for the mop sink. T. Strid said he believes that is adequate to service the mop sink. **L. Donovan made a motion to approve 14 Candlewood Lake Rd. – Application for Grease Trap Waiver. M. Brown seconded the motion and it carried unanimously.**
- b. 106 Federal Rd. - Application to Modify Discharge Permit, 2022 – 2023 - Chairman N. Malwitz noted the WPCA put in an Aquarion connection to abandon the well at the Caldor pump station at the request of BJ's, and the cost was \$10,367.43, which has been reimbursed by BJ's. Chairman N. Malwitz discussed the Application to Modify Discharge Permit, explaining they have stopped discharging now, but would like to continue the permit in case levels of contaminant get high and they need to discharge again. He said their current discharge permit expires June 30, 2022 and they would like to have a back up plan in case they are required by the State to do another remediation of the ground water. He said they are requesting a 5 year extension to their permit, as well as reducing the amount of discharge. Attorney J. Sienkiewicz recommended requiring notification when they are discharging as well as testing results. **L. Trojanowski-Marconi made**

**a motion approve 106 Federal Rd. - Application to Modify Discharge Permit, 2022 – 2023, contingent on them giving the WPCA notice when they begin discharging, and submitting reports on the discharge analysis. L. Donovan seconded the motion and it carried unanimously.**

**6. Old Business**

- a. 19 & 23 Station Road – Application to Connect (*Tabled on 12/15/21, Ext. thru 2/23/22*) - J. Kelley discussed Langan’s review of the applications for connection of 3 story residential and 3 story mixed use buildings, with a total of 53 housing units and 4,000 square feet of commercial space, as well as an application for connection of a swimming pool. J. Kelley summarized the project and said that Langan recommends the WPCA approve the application. He reminded them that since there is discharge from pool backwash, coverage will be required under the DEEP General Permit from discharges of miscellaneous industrial users and authorization from the DEEP WPCA in Danbury as required in accordance with the regulations. **M. Brown made a motion to approve 19 & 23 Station Road – Application to Connect as submitted, as shown on the plan and recommended by Langan. M. DelValle seconded the motion and it carried unanimously.**
- b. 19 & 23 Station Road – Application to Connect Swimming Pool (*Tabled on 12/15/21, Ext. thru 2/23/22*) **M. Brown made a motion to accept 19 & 23 Station Road – Application to Connect Swimming Pool contingent on getting the General Permit from the State and approval from Danbury for the pool backwash. L. Donovan seconded the motion and it carried unanimously.**
- c. 101-103-105 Laurel Hill Road – Alternate Sewer Route Application to Connect (*Tabled on 12/15/21, Ext. thru 2/23/22, PMA & Sewer Extension permits extended to 2/23/22*) *D. Stewart was present on behalf of the Application.* Chairman N. Malwitz said they now want to revert to their original sewer extension north on Laurel Hill Road, and have requested another month to finalize the design and get the permanent maintenance agreement done. Attorney J. Sienkiewicz said he has drafted documentation for a 60 day extension, until April 27<sup>th</sup>. He said about a week ago the Applicant’s Attorney contacted him regarding the decision to go with the original application. He said he has spent a lot of time with their Attorney reviewing the drawings, redrafting the permanent maintenance agreement and redrafting the sewer extension permit for Laurel Hill Road. D. Stewart said even though they received an approval in June 2021 they continued to look for viable ways to cut costs. He said they have explored other routes and have decided to accept the permit that they have in hand. **L. Trojanowski-Marconi made a motion to accept the withdrawal of the Applicant’s Alternate Sewer Route Application for 101-103-105 Laurel Hill Road that would have discharged to either Station Road or Federal Road and the Authority extends the time by which the Applicant can accept the prior approval involving a sewer extension permit in Laurel Hill Road and involving the construction of a Community Sewage System until April 27, 2022. M. Brown seconded the motion and it carried unanimously.**
- d. 857 Federal Road – Application to Connect 2 New Buildings, 1 Swimming Pool (*Previously approved under Greene Acres, Expired, Tabled on 12/15/21, Ext. thru 2/23/22*) *Attorney W. Sweeney was present on behalf of the Applicant. J. Kambitsas, President, AR Builders, was present.* J. Kelley discussed Langan’s review of the application. He said it is a 3 story residential building with 29 units and 7,100 square feet of community space and a sewer connection for 4 story residential building with 21 units and a sewer connection for a swimming pool. He summarized the project and reviewed the comments made. He said Langan recommends the WPCA approve the application and reminded them that since there is discharge from pool backwash coverage will be required under the DEEP General Permit from discharges of miscellaneous industrial users and authorization from the DEEP WPCA in Danbury as required in accordance with the regulations. W. Sweeney discussed the project and answered questions from the Board regarding the application. J. Kambitsas said they would start site work this summer and thinks the project would take about 2 years to complete. K. McPadden noted that the building currently on site is still connected to the sewer, so they would need a disconnect permit in order for the WPCA to be able to sign off on a demolition permit. Attorney J. Sienkiewicz asked Attorney W. Sweeney to send him a property description. Attorney W. Sweeney said he will send it to him tomorrow. **L. Trojanowski-Marconi made a motion to approve 857 Federal Road – Application to Connect 2 New Buildings and 1 Swimming Pool in the name of Federal Road**

**Apartments LLC subject to the requirements and recommendations contained in the February 23, 2022 letter from Langan with respect to this project, and subject to the plans and drawings referenced therein, subject to the payment of \$3,000 of additional application fees to cover inspections and incidental costs, subject to the execution of a Permanent Maintenance Agreement to be drafted by counsel with respect to what now appears to be the Community Sewage System component of this application in connection therewith the \$3,500 fee for that and subject to the applicant providing the Brookfield WPCA with a sewer easement along the frontage of the property to a depth of 10 feet, as drafted by counsel. L. Donovan seconded the motion.**

**L. Trojanowski-Marconi made a motion to amend the motion for 857 Federal Road – Application to Connect 2 New Buildings, 1 Swimming Pool to provide that the swimming pool discharge will not be permitted until the Applicant obtains the required CT DEEP General Permit for discharge from miscellaneous industrial users and authorization from the City of Danbury as noted in the letter from Langan. L. Donovan seconded the motion and it carried unanimously.**

**7. Project Updates**

- a. Danbury Plant & Brookfield Allocation - Chairman N. Malwitz discussed his meeting with Danbury, noting they offered a few different approaches. He discussed a discrepancy in Bethel's allocation and said Bethel is looking over their program with a consultant. Chairman N. Malwitz summarized the discussion with representatives of Danbury and the other towns.
- b. Brookfield Market Area - Chairman N. Malwitz said they are hoping to get an ARPA grant for this project, and hopes to know the status by next month. J. Kelley said last month he submitted all of the design information to the vendor selected for the basis of design. He said they are back logged, but he spoke with them today and they are just about done with the specs for the pump and the pit selections, and did not give him a date as to when he would get that from them. J. Kelley said the preliminary drawings for the electrical design were submitted to them on February 11<sup>th</sup> from Keystone and once they have all the pump information they will coordinate with them to finalize. Attorney J. Sienkiewicz asked if they are going to have any special requirements for women or minority owned projects if they get the money from the Federal funds. Chairman N. Malwitz said he did not see anything about that in the documentation.
- c. Dean Road/Candlewood Lake Area Project - Chairman N. Malwitz said they had meetings with the different Associations in the Candlewood Peninsula Area in order to get them to sign the hold harmless agreements to allow borings to be done on the roads, and explain to them what would happen. He said they would do enough work to do a design in order to get a cost estimate for the project sufficient to go out for funding. Chairman N. Malwitz said they have gotten one signed agreement back so far. He discussed setting up a consultation with the other towns at the end of April to explain what the program is and work toward a more comprehensive solution with the engineers, WESTCOG, Candlewood Lake Authority and First Light. Chairman N. Malwitz also discussed the IJJA funds, noting Mark Boughton is dispensing the funds and regional projects are preferred for these funds.
- d. Other Engineering Matters - No discussion

**8. Employee Activity Reports (Roger, Tim, John, Mary, Kristi, Alison)**

**Roger:** R. Prinz discussed the brick inverts, noting that Jason Sivo is doing the work and has requested bricks, which was a two month project to get someone to draw brick inverts. He said they put the sewer all the way out to the end of the townhouses at 37 Old Route 7, and will do the building connections as the townhouses are completed. R. Prinz discussed the manhole inspections, noting they will be phasing out and replacing the locking style covers. He discussed the PS1 bypass, the Mission upgrade and the Route 133 upgrade. He said the inspector's vehicle is due to be replaced.

**Tim:** T. Strid said they have 8 out of 14 public pump station inspections done. He discussed private pump station inspections and said there was an issue with 640 Federal Road, and Attorney J. Sienkiewicz produced a draft caveat for the land records which they have filed with the Town Clerk. T. Strid said they are still researching trash pumps for 777. He said they ordered the paperless digital recorder and said this recorder will be driven by the Tiger Mag and will do away with the venturi meter. He said engineering is in the budget for 2022 for bypass installation in the venturi pit and in

FY23 they will budget for the bypass work. He said all CBYD tickets are accounted for and up to date. He said the 1<sup>st</sup> quarter inspections are underway for the FOG program. T. Strid stated that surveys are all up to date and he has been working with K. McPadden on the problem areas in the regulations that calculate unit charges. He said he has also been working on re-surveying restaurants that have not been surveyed in a long time. He discussed inspections at 1050 Federal Road, 802 Federal Road, 100 Candlewood Lake Road, 58 Old Grays Bridge Road, and 730 Federal Road. He said they are two thirds of the way completed with the public manhole inspections. T. Strid said new Mission boards for all stations will be budgeted for FY23. He said CBYD tickets have been coming in for pole relocations at both the lower and upper sections of Federal Road. He discussed the DOT garage, and said the DOT refused to pay a \$40 inspection fee claiming "Sovereign Immunity". T. Strid said he spoke with Doug Brown in Danbury and was told to send the bill to the State and they will probably pay it.

**John:** J. Siclari said the mask mandate has been lifted in public Town buildings. He said there is no change on the FEMA claims. He said the time and attendance program UKG is in place and they are still working on some issue with accruals. He said the water and gas lines are completed up Candlewood Lake Road. He said the processing manual is completed and Alison is using it as a guide and updating it as needed. He said the pump station and grease trap line item issue in QDS has been resolved. J. Siclari said Future Subnets is shorthanded, but he speaks with them weekly and they should have the cyber insurance plan soon. He said the WPCA received a check for R. Prinz's old truck and will apply that to principal on the new truck. He said they are considering dropping CINTAS, and are looking into what it would cost to terminate the contract. He said they are working on the WPCA's response to the First Selectwoman's request for information for her State of the Town address. J. Siclari discussed the sewer capacity progress spreadsheet and discussed projecting flows based on when projects will be completed. J. Siclari said they are continuing to work on the budget. He said they have sent a file to the Town GIS map to update the map.

**Kristi:** K. McPadden discussed that all Permanent Maintenance Agreement actuarial adequacy reports have finally been submitted. She said the unpaid 2% Capital Cost Recovery Charge Connection bill was sent out by Attorney J. Sienkiewicz and has since been paid. She said the Tax Assessor sent her the 2021 Grand List and Alison compiled the Grand List for the 3 Condo District in preparation for the assessment lowering. K. McPadden said she needs to work with CDM Smith to get the correct properties for the Candlewood Peninsula Grand List. She is also working on the Dean Road Grand List. She said ViewPermit continues to keep her busy. She discussed recent permitting around town, including 470 Federal Road will be a Dollar General, 178 Federal Road-McDonalds is putting in a second drive thru lane, 491 Federal Road will be El Mexicano Tacos and Cantina, 105 Grays Bridge Road will be Preferred Air, 14 Candlewood Lake Road will be Sport Clip Salon, 115 Commerce Road will put an addition on, 243 Federal Road will be a nail spa, 636 Federal Road-Pulcinella's will be doing an expansion. K. McPadden said she is working with T. Strid on use calculations. She is working with Alison on training and answering questions. She said they are working on the budget and is waiting for information from the Town Controller. She said Deferred Assessment application window has opened and she will be sending out reminders to the customers who currently have deferred assessments. She noted that 468 Federal Road was sold and said that is done, and the Permanent Maintenance Agreement was executed. K. McPadden said she received an email from 115 Pocono Road requesting to connect, and she said she had emailed them awhile ago regarding their status as "sewer avoidance".

**Alison:** A. Kennedy said she has been working on the spreadsheet for the 3 Condo Assessments. She said she has created a spreadsheet of the accounts sent to TSI for collection including the current status of those accounts, and presented that information at the recent staff meeting. She is working on setting up a schedule to keep information in TSI updated more regularly. She has also been updating the information in QDS based on the websites used by the Tax Assessor, to make sure we have up to date mailing addresses. She has been answering the phones, assisting with billing inquiries, sorting the mail, assisting with pulling the billing copies of invoices for M. Ongaro to process, and typing the notes for the monthly Staff Meeting. A. Kennedy noted that the WPCA does not have telephone numbers or email addresses for customers, and K. McPadden added that QDS does not have fields for that information. Attorney J. Sienkiewicz said there may be FOI concerns with getting that information.

**9. Legal Matters**

- a. Collections - No discussion.
- b. Insurance Requirement Update
- c. Other Legal Matters - Attorney J. Sienkiewicz discussed 857 Federal Road, and said this may not be a Community Sewage System and he will have to check the statute.

**10. Other WPCA Matters**

- a. Nomination and Election of Officers for the 2022 Calendar Year - **L. Donovan made a motion to nominate N. Malwitz for Chairman. L. Trojanowski-Marconi seconded the motion. L. Trojanowski-Marconi made a motion to close nominations. J. Murray seconded the motion and it carried unanimously. M. Brown made a motion to nominate L. Trojanowski-Marconi as Vice Chair. J. Murray seconded the motion. Chairman N. Malwitz made a motion to close nominations. M. Delvalle seconded the motion and it carried unanimously.**
- b. Other WPCA Matters - R. Posthauer, CCA, LLC was present on behalf of the application for Dairy Queen. The Board noted the application has already been approved. R. Posthauer said he wanted to make sure there wasn't anything else needed. He noted that he dropped off three sets of plans this morning, and will send J. Kelley a .pdf set of plans tomorrow.

L. Donovan discussed volunteer Commissioners and Board Members in Brookfield and said she and J. Siclari worked on documenting what drives the goals of the WPCA. She sent out a survey and discussed the results. She discussed the difficulty in finding volunteers for the Board at this time.

Chairman N. Malwitz said on Friday there will be a public hearing being held by the State Senate regarding unpaid sewer assessment fees and charges and said he prepared a testimony piece. He said last year they missed this public hearing.

**11. Vouchers - L. Donovan made a motion to approve the vouchers as presented. L. Trojanowski-Marconi seconded the motion and it carried unanimously.****12. Adjournment - L. Trojanowski-Marconi made a motion to adjourn at 9:58 p.m. J. Murray seconded the motion and it carried unanimously.**

\*\*\* Next meeting March 23, 2022 \*\*\*