

# **BROOKFIELD WATER POLLUTION CONTROL AUTHORITY**

Wednesday, January 22, 2020 7:00 p.m.

53A Commerce Road, Unit 1

## **MINUTES**

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

**WPCA:**

Chair N. Malwitz

L. Trojanowski-Marconi, Vice Chair

T.E. Lopez

M. Del Valle

L. Donovan

M. Brown

J. Murray

G. Giacobone (Commissioner as of 2/2/20)

**Others:**

D. Will, Inspector

R. Prinz, Maintenance Manager

C. Utschig, Langan Engineer

M. Allred, Accountant

J. Sienkiewicz, Attorney

K. McPadden, Executive Administrator

M. Ongaro, Collector

A. Kennedy, Recording Secretary

2. **Approval of Minutes** – 11/20/19 - **T. Lopez made a motion to approve the minutes from 11/20/19. L. Donovan seconded the motion and it carried unanimously.**

**L. Donovan made a motion to approve the Special Meeting minutes from 12/30/19. M. Brown seconded the motion. T. Lopez and L. Trojanowski-Marconi abstained. The motion carried 5-0-2**

3. **Correspondence** - No discussion.

4. **New Business**

- a. 636-640 Federal Road, Curvy's Cupcakes & Confections, LLC – Request for Grease Trap Waiver- *Sara Fitzgerald was present on behalf of the application.* D. Will said the applicant is planning to open a cupcake shop, not a full bakery, and will also host children's parties. He said there is no room for a grease trap unit in the floor, and Ms. Fitzgerald would like to install a unit under the sink. He said he has been in communication with the applicant regarding the type of unit, and she has picked the largest unit that would fit under the sink. Attorney J. Sienkiewicz asked who the property owner is, and S. Fitzgerald said the property owner is John Iarusso. L. Donovan said the owner of the building is supposed to be the one to seek the permit. Attorney J. Sienkiewicz said the property owner would need to sign off on the application. S. Fitzgerald distributed documents describing the unit proposed. C. Utschig said the property owner should be made aware that if there is a change of use, whether with this tenant or a new tenant, that the WPCA is not assuring that this unit will be sufficient for any future use. The property owner will need to renew the waiver with any change of use. **L. Trojanowski-Marconi made a motion to approve the application for a grease trap waiver for 636-640 Federal Road, as submitted by Curvy's Cupcakes & Confections, LLC, subject to the owner submitting the application to acknowledge owner understanding, noting this approval is for baking cupcakes and hosting children's parties only, and also noting if there is any change of use the WPCA does not assure this will be sufficient for any future use, and the owner will need to renew the application for the waiver. T. E. Lopez seconded the motion and it carried unanimously.**

5. **Old Business**

- a. 138 Federal Road – Application for Sewer Use/Connection Permit -K. McPadden said the applicant came to the November meeting with two applications, one for disconnect and one for re-connect. She said the Commission approved the disconnect in November and the applicant has been discussing plans with C. Utschig. Chairman N. Malwitz read C. Utschig's recommendation letter aloud for the record. T. E. Lopez asked about possible contamination and/or DEEP clearance, regarding possible contaminants in the soil from the gas tanks, which have already been removed. Attorney J. Sienkiewicz said the previous owner would have had to have documentation on file with the DEEP when the tanks were removed. C. Utschig suggested an inquiry be made as

to whether they intend to pump anything into the sanitary sewer, noting they would need to come back and get approval for that. Attorney J. Sienkiewicz noted the WPCA has an interest in protecting their staff during inspections. **L. Trojanowski-Marconi made a motion to approve the Application for Sewer Use/Connection Permit for 138 Federal Road, with the stipulation that the applicant provide, prior to construction, documentation that demonstrates the site is clean to the satisfaction of the DEEP, or is currently under a clean-up program, and the stipulation that the WPCA will not issue a sign-off to the building department until satisfactory documentation is provided. T. E. Lopez seconded the motion and it carried unanimously.**

- b. Candlewood Lake Area Sewer Study Update-Chairman N. Malwitz said P. Lombardo is coming on Friday. They mailed out a survey of Candlewood Shores and Arrowhead Point and have received about 25% back. He said they will send one final letter out, mentioning that there will be another public information meeting in March (date to be finalized). Chair N. Malwitz said P. Lombardo is also starting to work on the Dean/Pocono Road project to come up with a plan. He said the Facilities Plan, which is being done by CDM Smith, hasn't done much in the last month because of the holidays.
- c. Delinquent Collections Initiative, Transworld Systems-Chair N. Malwitz said collection letters have gone out from Transworld Systems and they have received some response. He said some customers have come in to set up payment plans.

**6. Accountant Report**

- a. Monthly Financials-M. Allred discussed the monthly financial report.
- b. Danbury Bill Analysis-M. Allred reviewed the Danbury Bill Analysis.

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

**Roger:** R. Prinz distributed and reviewed his report, as well as T. Strid's report. He said there is no change with Commerce Drive and C. Utschig is working on Old New Milford Road and Federal Road project. He said the flowmeters for Cedar Brook and Stony Hill stations have been assigned to T. Strid as a "mentored project". He said the generator is acting strange at the 133 Pump Station and they have had an electrician in to look at it. R. Prinz said if they combine pump stations for the Brookfield Market they can lower the costs, and if they were combined, the pump stations would have to be controlled by the WPCA, which would be an ongoing expense. He said it does not look feasible to cross the river north of the bridge. He said Chairman N. Malwitz should be asking the Town for \$300,000 for this project. R. Prinz said he is working with J. Siclari on the Lower Federal Road project. He said they are working on manhole inspections, and they can do about 22-25 per day. He said 4<sup>th</sup> Quarter Pump Stations are complete. He said T. Strid is fully trained for on-call duty and the maintenance truck has been equipped with utility racks. He said the power gates at 4 stations needed replacement chains, and they purchased non-rusting nickel chains.

**Dave:** D. Will distributed and reviewed his report. He said the grease/grit separator inspections have started for the quarter and he is working on surveys. He said Branson's infrastructure is in progress and coming along quickly. 401 Federal Road is 80% complete, with all WPCA work mostly done. He said progress is happening at 15 Federal Road, expecting Pieology to open by March. Franky's Hotdogs at 270 Federal Road is open and doing well, and the new Marketplace Restaurant will open by February. He said they are starting to get some tenant fit-ups for 450 Federal Road. The project at the corner of Production Drive has been turned over to new owners and should see some applications in the spring. He said there is a new tenant at 100 Silvermine Road and a new laundromat at 626 Federal Road is open. There is a new men's grooming shop in the Shoprite Plaza that is open, and the Café slated for 800 Federal Road has decided to wait for the new buildings. He said construction has begun at the new assisted living across from 300 Federal Road.

**Mary:** M. Ongaro said she is working on collections for December. She is working with TSI and has gotten some responses from delinquent customers. She said some customers set up payment schedules, and some made significant payments. When J. Siclari returns she will continue work on her procedure manual.

**Kristi:** K. McPadden said she completed the 1099s. She has been working with L. Donovan and J. Siclari with Paychex to implement the time and attendance program with the payroll company. There are some policies that need to be established and/or changed and it is still in process.

**8. Engineer Comments/Project Update**

- a. Old New Milford/Federal Road Force Main Update-C. Utschig said the project is stalled a little bit. He said the gas main, as located by our surveyors, wasn't exactly where it was marked and has affected the design. Yesterday they received a change order from the contractor for about \$15,000. He said this contract has a \$20,000 MAW (Miscellaneous Additional Work) account, so if, in fact, this turns out to be about a \$15,000 change order, it doesn't affect the overall contract value.
- b. Brookfield Market Area Update-C. Utschig said he has given Chairman N. Malwitz at least three alternative designs and there is nothing more to be done until a decision is made. Chairman N. Malwitz said he needs to make a presentation to the Board of Selectmen & Board of Finance.
- c. Route 133 Station Improvements-C. Utschig said they have issued a final report providing some recommendations. He said they have figured out that the pumps are short cycling and that is a problem. They have come up with a recommendation to build an alternate wet well, behind the existing one, that will allow more capacity. He said if we can improve the cycle time, we can extend the life of those pumps. This design can be converted into the wet well for the new pump station. He said reliability for emergency power is important and they have looked at a solution where they could consider putting in a new emergency generator, which could be used when the station is upgraded. He said the money that would be invested in these things now, would not be wasted dollars, because it would be designed to work with the upgrade. Chairman N. Malwitz said he will circulate the report to the Authority members with proposals and they can discuss at the next meeting. M. Brown said the bigger issue, in his opinion, isn't the pumping, but would be the environmental impact it could have if something were to happen with this pump station.
- d. Grinder Maintenance-C. Utschig said Chairman N. Malwitz asked him to look into any new technology or designs, as they are spending a lot of money on repairs. He said they will start investigating what other options exist and will report back.
- e. Other Engineering Matters-C. Utschig said they are working with the GIS guys on the capital budget and asset management and will make a presentation to J. Siclari on the third-party programs that could work with their system.

**9. Legal Matters**

- a. Proposed Use Charge Regulation Amendment-No discussion.
- b. Permanent Maintenance Agreement Updates-Attorney J. Sienkiewicz said Silvermine Manor has a permanent maintenance agreement that they signed in 1992, that says they will make a contribution until they got to \$25,000, at which point it would cease. They have made the initial payment and have not made any payments since. He noted their initial \$1,400 payment was submitted in 1992, but never funded further. Attorney J. Sienkiewicz revised the agreement and suggested that they start making payments, to an account Silvermine Manor would hold. He has not gotten any word back. K. McPadden said Cedarbrook brought their revised permanent maintenance agreement in today, as well as their actuarial adequacy paperwork.
- c. Proposed Licensing Program for Private Pump Stations-Attorney J. Sienkiewicz said they will need a rate hearing, a regulation hearing, and an assessment hearing, which can be held on the same night. He will not be at the February meeting, but he can get the legal notices to K. McPadden prior to the meeting.
- d. Berkshire Corporate Park Sewer Takeover- Attorney J. Sienkiewicz said when Branson bought the property, they took a sewer easement where the WPCA sewer easement is. Attorney J. Sienkiewicz said he told Chris Leonard that he wants them to release that easement and they resolved the language today.
- e. Other Legal Matters-Attorney J. Sienkiewicz said he is working on some collection accounts that he has, and asked M. Ongaro to give him a few more.

**10. Other WPCA Business**

- a. North Federal Rd. Valve Pit Update-Previously discussed.

- b. Danbury Plant Update-Chairman N. Malwitz said he has no update. M. Brown said Nickerson has been awarded the contract for \$78 million upgrade.
  - c. Other WPCA Matters -Chairman N. Malwitz said they received a letter from CIRMA stating that the WPCA is insured under the Town's insurance policy, and he read the letter aloud for the record. Chairman N. Malwitz noted they received an invitation for the Brookfield Chamber of Commerce's Annual Gala. He suggested they send three representatives from the WPCA, including himself, the Director, and the Vice Chair, with their spouses. Others can be selected in subsequent years. Chairman N. Malwitz said he checked with the First Selectman regarding the WPCA paying for this expense, as it related to the ethics policy, and he said it was fine. **M. Brown made a motion to authorize an expenditure of \$600 for three commissioners and their spouses to attend the Brookfield Chamber of Commerce Annual Gala on Saturday 3/21/2020 for business development and community relations. T. E. Lopez seconded the motion and it carried unanimously.**
11. **Vouchers - T. E. Lopez made a motion to accept the vouchers as presented. L. Donovan seconded the motion and it carried unanimously.**
- Chairman N. Malwitz made a motion to go into Executive Session at 8:56 p.m. L. Donovan seconded the motion and it carried unanimously.**
12. **Executive Session – Proposed Changes in Working Hours**  
**T. Lopez made a motion to go out of Executive Session at 9:45 p.m. L. Trojanowski-Marconi seconded the motion and it carried unanimously.**
13. **Adjournment - L. Trojanowski-Marconi made a motion to adjourn at 9:45 p.m. Chairman N. Malwitz seconded the motion and it carried unanimously.**

\*\*\* Next meeting February 26, 2020 \*\*\*