

BROOKFIELD WATER POLLUTION CONTROL AUTHORITY

Wednesday, January 26, 2022, 7:00 p.m.

MINUTES

Zoom Call-In Info:

<https://us02web.zoom.us/j/81330121928?pwd=c0VNQXRSczN4MHVyYlhTb2ZwdWdFQT09>

Meeting ID: 813 3012 1928

Passcode: 012622

1. Convene Meeting

WPCA:

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

Others:

R. Prinz, Chief of Maintenance
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 – 12/15/21-L. Trojanowski-Marconi made a motion to approve the minutes from 12/15/21. G. Giacobone seconded the motion and it carried unanimously.****

3. Correspondence

- a. Thank you letter from Regional Hospice for the donation in memory of Fern Rajcula - Chairman N. Malwitz read the correspondence aloud for the Authority members, as well as a thank you note received from the family.

4. Accountant Report

- a. Monthly Financials - M. Allred reviewed the monthly financial report.
- b. Update on FYE June 30, 2021 Audit - M. Allred said the audit is complete and gave a brief report on the audit findings and process.

5. New Business

- a. BJ's Groundwater Remediation Contingency Discharge, 2022 – 2023 - Chairman N. Malwitz discussed the remediation process and status of the project. He said they currently have monitoring wells and they are asking for permission to discharge into the sewer system. He said according to State Law they need permission from both Danbury and Brookfield in order to do that. Chairman N. Malwitz said BJ's has said that this discharge will not exceed 1,400 gallons per day and will be on an as-needed basis. He said this is a contingency plan for them, should the ground water show any contamination. The Authority discussed how the WPCA would be notified if they needed to discharge, and how the regulations would apply to this situation. Attorney J. Sienkiewicz said they should submit a formal application for a permit to discharge, to be reviewed by the Authority. **L. Trojanowski-Marconi made a motion to table BJ's Groundwater Remediation Contingency Discharge, 2022 – 2023. L. Donovan seconded the motion and it carried unanimously.**
- b. 857 Federal Road – Permit to Disconnect - *Attorney W. Sweeney was present on behalf of AR Properties.* K. McPadden said the Applicant is not going to apply to disconnect at this time. She explained that T. Strid received a "Call Before You Dig" request for a demolition at 857 Federal Road, and there was no demolition permit or Permit to Disconnect on file. She spoke with Attorney W. Sweeney, who contacted the Property Owner. Attorney W. Sweeney said he represents AR Builders, who are the contracted buyers of the property. He said the current owner, John Farley, is the person who called for the "Call Before You Dig" to avoid ongoing blighted

property fines. Attorney W. Sweeney said when Mr. Farley learned what was involved in taking the building down, he decided not to move forward at this time.

6. Old Business

- a. 19 & 23 Station Road – Application to Connect (*Tabled on 12/15/21, Ext. thru 2/23/22*) - A. Rothman and S. Sullivan, CCA, LLC were present. J. Kelley said that Langan has reviewed the revised plans and provided comments. He said there are still some design details that need to be addressed, as well as questions regarding the layout of the proposed sewer. He said they are planning to meet with the WPCA staff to discuss the issues and solutions and then will meet with the Applicant to discuss the adjustments. **L. Trojanowski-Marconi made a motion to table 19 & 23 Station Road – Application to Connect and 19 & 23 Station Road – Application to Connect Swimming Pool. M. Brown 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*)
- c. 138 Federal Road – Dairy Queen Application to Connect (*Tabled on 12/15/21, Ext. thru 2/23/22*) - J. Kelley said they have reviewed the plans and they recommend that the Authority approve the application with the following conditions: the exterior sewer plumbing to be installed per the CCA drawings, and not the Building Plumbing plans; details required on the abandonment of the existing sanitary sewer lines; crossing of the service line and drainage line need to be confirmed and adjusted as necessary to provide adequate vertical clearance between the lines; the contractor/owner shall notify the WPCA a minimum of 48 hours prior to construction; the design of the service lines and the grease trap are the responsibility of the Applicant and the Applicant's engineer, and not the responsibility of the WPCA or Langan. **L. Donovan made a motion to approve 138 Federal Road – Dairy Queen Application to Connect subject to the conditions set forth in Langan's letter of January 25th, 2022, and with the proviso that the conditions need to be satisfied by February 23rd, 2022. G. Giacobone seconded the motion and it carried unanimously.**
- d. 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 2/18/22*) - S. Sullivan, CCA, LLC, was present on behalf of the Applicant. D. Stewart was present on behalf of the Applicant. C. Kinder was present on behalf of the Applicant. J. Kelley discussed a brief history of the project. He said Langan has reviewed the revisions and recommends approval with the following conditions: the details of the force main connection to the sanitary manhole and gravity line need to be finalized and added to the drawings; the sewer easement needs to be finalized from a legal standpoint, as well as the permanent sewer maintenance agreement; revised drawings to be submitted for final approval. S. Sullivan said the force main map is final, except for one detail. He said they are waiting for an approval from the WPCA in order to finalize the easement. C. Kinder said they hope to start general site work on March 1st. He said they have reviewed the easement with the neighbor, and he is ready to sign it. **M. Brown made a motion to grant the extension on the outstanding sewer extension permit and community sewage system agreement for 101-103-105 Laurel Hill Road to February 23rd, 2022, in anticipation that everything will be completed to the satisfaction of the Engineer and to the satisfaction of the the WPCA Counsel. L. Trojanowski-Marconi seconded the motion and it carried unanimously.** **L. Trojanowski-Marconi made a motion to table the pending application for 101-103-105 Laurel Hill Road – Alternate Sewer Route Application to Connect. L. Donovan seconded the motion and it carried unanimously.**
- e. 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 1/26/22*) - Attorney W. Sweeney was present on behalf of the Applicant. J. Schmitz was present on behalf of the Applicant. J. Kelley said they reviewed the plans and discussed the details. He said they are recommending the Applicant submit revised plans reflecting the new flow rates. J. Kelley said the application for the swimming pool was also reviewed and they recommend the plans be revised to reflect an actual anticipated flow. Attorney J. Sienkiewicz noted they do not have a regulation

pertaining to pools. He also asked about bathrooms in the pool area. Attorney W. Sweeney said a standalone pool house or bath house is not required by CT State law, when the pool is within 25 feet of the building. He said there is also a bathroom proposed for the lower level in the common amenity space. He said that may change, as they may add additional bathrooms. Attorney W. Sweeney said there is an encroachment of the WPCA sewer line on the property and have already agreed to grant an easement to remedy this situation as part of this application. He noted they are not the property owners at this time, and currently have a contract to purchase the property. He asked if the easement agreement needs to be executed before the next meeting. Attorney J. Sienkiewicz said that as long as they are in agreement on the language in the easement, he is fine with approving the application, subject to the easement being provided by the Applicant. **L. Trojanowski-Marconi made a motion to table 857 Federal Road – Application to Connect 2 New Buildings, 1 Swimming Pool to February 23, 2022. L. Dononvan seconded the motion and it carried unanimously.**

7. Project Updates

- a. Danbury Plant & Brookfield Allocation - Chairman N. Malwitz said First Selectman T. Carr has been very active with the regional Selectmen and Mayors on this issue, and reviewed a brief summary he prepared for discussion. He said Danbury Mayor Esposito wants to visit Brookfield with Danbury Director of Public Works, Antonio Iadarola. He noted that it was admitted that the performance of the plant is unknown, so the actual capacity is unknown. Chairman N. Malwitz also discussed meeting with Bethel First Selectman M. Knickerbocker, who admitted that Bethel has a large reservation and wanted his team to do more study on the issue. Chairman N. Malwitz said Brookfield offered to purchase some of that capacity for 10 years, whereby Bethel would have the option to recall it with possibly a 30-month notice. He said that would relieve Bethel of some of their cost obligation and would give Brookfield time to install a solution. Chairman N. Malwitz said connecting to New Milford seems like a longshot, but will investigate what might be required. He said they also discussed the lake initiative and sewerage the New Milford side of the Candlewood Lake Club when the Brookfield side is done. He said First Selectman T. Carr is committed to finding short term and long term solutions and anticipates putting together a meeting with Danbury and Bethel together in Brookfield.
G. Dembowski said he has been working with J. Siclari and K. McPadden to combine information with what the Land Use Department has regarding long term plans, to make sure they are all on the same page. He also noted that he received an email regarding Commissioner Boughton's presentation to WESTCOG about the infrastructure money that is coming down from Hartford in to the towns. He said the presentation shows how the money is allocated by year and by category. He said they requested to Boughton not to forget about the capacity issue in that presentation. G. Dembowski discussed his upcoming presentation to the Board of Selectmen on February 7th.
- b. Route 133 Station Improvements Project - R. Prinz said the only thing they are still waiting on is the generator.
- c. Brookfield Market Area - J. Kelley discussed the proposed revised plans which reflect some changes with the pump station. He said there are electrical engineering plans that are being worked on now and will be ready on February 7th for coordination and to package it all together. He said the estimate has increased slightly to reflect the change with the pump station. Chairman N. Malwitz said the new Selectmen are not familiar with this project, so he will need to present the information again to make the case for ARPA grant money. Updated engineering estimate information from Langan is needed in order to do so.
- d. Dean Road/Candlewood Lake Area Project - Chairman N. Malwitz said he had a meeting with CDM Smith and they will be looking to meet with the different Associations in the first two weeks of February. He said he already met with Arrowhead, and they were more amenable to the project than previously. Chairman N. Malwitz said they will be asking for permission to go onto their private roads.
- e. Other Engineering Matters - None

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

Roger: R. Prinz said the Route 133 generator is expected in April 2022. They have purchased 50 additional inflow reduction pans to be installed as part of the manhole inspection process. He said they did some pump station inspections already. The sewer extension down Laurel Hill South is being held up because the contractor wants to use brick inverts, which took a month to have drawings done. He said there is an upcoming snow storm, and the UTV works great in the snow. He said they have ordered a new flow meter for Cedarbrook.

Tim: T. Strid said the 4th quarter pump station inspections were completed by the December 31st deadline. He said they have gotten some positive feedback from the reports that have sent out on private pump station inspections. He said the certified letter sent to John Iarusso, owner of 640 Federal Road was returned to the office. T. Strid explained the issues the letter addressed, and said it was important for a buyer of the building to understand the challenges with the property. T. Strid said the mixer at 133 is working great and are looking into doing away with some of the flush valves at the other pump stations and putting in smaller mixers, possibly for Fiscal Year 2023. He said the Caldor water line was done. He said all the tickets are up to date for "Call Before You Dig" and the grease trap program is in high standing and first quarter inspections are underway. He said the surveys are up-to-date and he has come up with some problem areas they may want to address regarding unit charge regulations, as discussed at the recent staff meeting. T. Strid discussed inspections that are underway and the status of the projects. He said manhole inspections are underway and they are 2/3 of the way completed. He discussed the possibility of purchasing a digital recorder for flow data.

Kristi: K. McPadden said the UKG System is live, and they are working out a few bugs. She said she still has two accounts that haven't turned in reports for the permanent maintenance agreements. She said the audit is complete and the \$1,500 Rollingwood Project Wetlands bond money was received. She said she sent out two 2% CCRCC bills and they were both paid. She also discussed other projects to be billed, once they have been issued CO's. K. McPadden said she is waiting for the Assessor to finalize the Grand List so she can start the work for June 2022 new assessments. She said she is in the process of scheduling meetings with CDM Smith and each of the four Candlewood Lake Peninsula Associations, and she sat in on a meeting with Chairman N. Malwitz and Arrowhead Point Association past & present Presidents. She noted that last year she signed off on 439 permits in ViewPermit, and although not all were connected, they all needed sign-offs. K. McPadden said she sat in on a Development Services Team meeting and a Department Head meeting in J. Siclari's absence. She said she has sent out the end of year 1099's and has been working with new hire A. Kennedy, training and answering questions.

Alison: A. Kennedy said she did not want to give a report on TSI at this time, as there were still some questions needed to be answered. She will sit down with M. Ongaro to try to clear up some inconsistencies between the TSI system and QDS.

9. Legal Matters

- a. Collections - Chairman N. Malwitz discussed progress made with TSI, noted approximately \$80,000 has been collected on delinquent accounts, with only 5 letters mailed to each delinquent customer, and no calls made. He said the program with TSI cost the WPCA \$800 and the WPCA is charging customers \$30 to cover that cost. A. Kennedy reported that if the WPCA chooses to use TSI for their Phase Two services, which includes more aggressive collection services, there is no additional fee, however TSI will keep half of the amount they collect. Attorney J. Sienkiewicz said he has six accounts that were referred to collection and discussed the status of those accounts.
- b. Insurance Requirement Update - Chairman N. Malwitz reported that Attorney J. Sienkiewicz and Langan has come to an agreement on what the insurance language should be. Attorney J. Sienkiewicz discussed his work on this project and said he made some minor changes to the document. He said going forward they should monitor the termination dates more closely.
- c. American Rescue Plan Grant Request to TOB – Discussed in Item 7.c.
- d. Other Legal Matters - No discussion.

10. Other WPCA Matters

- a. Nomination and Election of Officers for the 2022 Calendar Year - L. Donovan noted the Authority currently has two members who need to be reappointed and the First Selectman's office has not received any indication from the political parties about what they are going to do. She suggested

they table the nomination and election of Officers to the next meeting. L. Donovan also discussed having a discussion in the next month or so regarding the future of the WPCA, specifically as it related to the responsibilities of the Chairman and other members.

G. Giacobone made a motion to table Nomination and Election of Officers for the 2022 Calendar Year to February 23, 2022. L. Trojanowski-Marconi seconded the motion and it carried unanimously.

Chairman N. Malwitz said he has a proposal for the purchase of a new computer for his use, as his 2014 vintage personal computer, which he has been using extensively for WPCA business, is in need of replacement. He explained the need for a computer as the Chairman as it pertains to project Word and Excel documents, graphics, web development and email usage on behalf of the WPCA. The Authority discussed the appropriate options for this type of purchase and reimbursement.

L. Trojanowski-Marconi made a motion that the WPCA authorize the reimbursement to Chairman N. Malwitz for the sum of \$210 per month for a period of 12 months to assist him in the purchase of a computer, given that the personal computer that he is presently using for a substantial amount of Commission business is crashing and that its at the end of its usable life, and he needs a modern computer to keep up with the Authority's business, subject to review by the Authority's Attorney if that is permissible under the Town's Ethics Ordinance. L. Donovan seconded the motion and it carried unanimously.

11. **Vouchers - L. Trojanowski-Marconi made a motion to approve the vouchers as submitted. M. Brown seconded the motion and it carried unanimously.**
12. **Adjournment - L. Trojanowski-Marconi made a motion to adjourn at 10:20 p.m. J. Murray seconded the motion and it carried unanimously.**

*** Next meeting February 23, 2022 ***