

BROOKFIELD WATER POLLUTION CONTROL AUTHORITY
Wednesday, June 24, 2020 7:00 P.M. via Zoom
MINUTES

1. Call In Info

Zoom: <https://zoom.us/j/4644755169>

Meeting ID: 464 475 5169

2. Convene Meeting – Chair N. Malwitz called the meeting to order at 7:02 p.m.

WPCA:

Chair N. Malwitz
L. Trojanowski-Marconi, Vice Chair
L. Donovan
M. Brown
G. Giacobone
M. Delvalle

Others:

D. Will, Inspector
R. Prinz, Maintenance Manager
T. Strid, Maintenance Crew Member
C. Utschig, Langan Engineer
J. Sienkiewicz, Attorney
M. Allred, Accountant
J. Siclari, Director
K. McPadden, Executive Administrator
M. Ongaro, Collector
A. Kennedy, Recording Secretary

7:00 p.m. PUBLIC HEARING: Amendment to Sewer Use Rules and Regulations: Section 6.0, subparagraph (b) to prohibit discharge of fibrous materials and plastics to the sewer system; to Section 7.3.1 to state dates on which capital cost recovery charges become due; and to Section 7.3.2 to provide for additional installment payment plan options for capital cost recovery charges in excess of \$50,000 and \$100,000 - Chairman N. Malwitz explained the details of the proposed amendments to the Regulations. He noted these amendments were available for review at the Town Clerk's Office, as well as the WPCA website. Attorney J. Sienkiewicz discussed the proposed amendment regarding the capital cost recovery charge, noting it would allow charges over \$50,000 to be paid in installments over seven years, with the first payment being \$15,000, and if the charge was over \$100,000 the upfront payment would be \$25,000 followed by nine payments. **Chairman N. Malwitz made a motion to close the public hearing regarding Amendment to Sewer Use Rules and Regulations: Section 6.0, subparagraph (b) to prohibit discharge of fibrous materials and plastics to the sewer system; to Section 7.3.1 to state dates on which capital cost recovery charges become due; and to Section 7.3.2 to provide for additional installment payment plan options for capital cost recovery charges in excess of \$50,000 and \$100,000. L. Trojanowski-Marconi seconded the motion and it carried unanimously.**

- 3. Approval of Minutes - 5/27/2020** L. Trojanowski-Marconi made a motion to approve the minutes from 5/27/2020. L. Donovan seconded the motion and it carried unanimously.
6/3/2020 Special Meeting - L. Donovan made a motion to approve the minutes from the 6/3/2020 Special Meeting. M. Delvalle seconded the motion and it carried unanimously.
- 4. Correspondence - None**
- 5. Old Business**

- a. **731 Federal Road - Municipal Sewer Extension** - Chairman N. Malwitz reported the WPCA received an email from T. Lucera, with the opinion to connect via gravity was prohibitively expensive due to the rock removal. Chairman N. Malwitz said therefore there is no community sewer system needed because they are going to pump up to the road. C. Utschig said although the Authority has been amenable to pump stations, over the past few years pump stations have been a complicated component of the system and the more pump stations they have the harder it will be to keep track of them and maintain them. C. Utschig said if the estimate of the amount of rock at this site is correct, a gravity system may not be a lot more expensive than a pump station. K. McPadden read a note from R. Prinz, which stated "Estimate rock amount is 400 yards plus or minus, cost is \$50,000 to \$70,000. Penny wise pound foolish, for the record I am against permitting connection by pump system." K. McPadden also read the email from T. Lucera for the record. Attorney J. Sienkiewicz suggested asking the applicant if they are withdrawing the application for extension.
 - b. **37 Old Route 7 - Municipal Sewer Extension** – K. McPadden said Attorney J. Sienkiewicz submitted the motion, the permanent maintenance agreement, and the approval letter. Attorney J. Sienkiewicz said this is the first time the WPCA is doing a sewer extension under the new rules. He explained the requirements as set forth by the State. Attorney J. Sienkiewicz also discussed the details of this project as depicted on the site plan and reviewed the language in the documents he submitted to the WPCA regarding this approval and permanent maintenance agreement. **Chairman N. Malwitz made a motion to adopt the [#1 attached] Resolution for 730 Federal Road, LLC Sewer Line Extension Request as drafted by Counsel. L. Donovan seconded the motion and it carried unanimously.**
 - c. **37 Old Route 7 - Application to Connect (6 Duplex Condominiums)** - Chairman N. Malwitz reviewed and discussed the permanent maintenance agreement drafted by Attorney J. Sienkiewicz regarding this proposed community sewer system. **M. Brown made a motion to adopt the [#2 attached] Resolution for 730 Federal Road, LLC Community Sewerage System Request as drafted by Counsel. L. Trojanowski-Marconi seconded the motion and it carried unanimously.**
L. Trojanowski-Marconi made a motion to approve the applications for 12 building sewer connections for premises known as 37 Old Route 7, provided that no connections are allowed unless and until the Applicant has demonstrated full compliance with conditions of the sewer extension permit and with the requirements of the Permanent Sewer Maintenance Agreement. M. Delvalle seconded the motion and it carried unanimously.
 - d. **To act upon Amendment to Sewer Use Rules and Regulations** - L. Trojanowski-Marconi made a motion to adopt the amendments to the Sewer Use Regulations Section 6.0, subparagraph (b), Section 7.3.1 and Section 7.3.2 as submitted to Public Hearing. **L. Donovan seconded the motion and it carried unanimously.**
6. **New Business**
- a. **100 Candlewood Lake Road-Application to Connect** - *D. Overton, Milone & MacBroom was present on behalf of the Application.* D. Overton gave an overview of the application, and said the Office of School Grants at the State that provides funding for schools mandates low flow fixtures because they require the new school design to meet the State high performance building codes, so this will use low flow plumbing fixtures. Chairman N. Malwitz explained that because Center School will close and move students to Huckleberry School, it should be about the same amount as current conditions. D. Overton said the school is being designed for a total capacity of students of 1,266. He explained some of the plan

- details for connection and said everything will be designed to the most current standards. K. McPadden said the permit fees have not yet been paid, and they will also need a letter of authorization from the Town authorizing them to apply for the permits. D. Overton said as he understands it, the First Selectman will be submitting documentation to the WPCA and the fees will be waived. K. McPadden said they can request a fee waiver but she doesn't think they have ever done that before. Attorney J. Sienkiewicz said at this point, normally the WPCA would accept the application and refer it to the engineers for review. J. Siclari asked about their estimates for the flows. D. Overton said they went back and forth and submitted a couple of flow calculations, but the problem is they don't have any real metering for Huckleberry School or Center School, and they do not know how to accurately predict these numbers. He said the school will be on public water and metered after the school is built and the existing well system will be eliminated. **L. Trojanowski-Marconi made a motion to accept the application to connect for 100 Candlewood Lake Road and refer it to the engineer [Langan] for review. L. Donovan seconded the motion and it carried unanimously.**
- b. **100 Candlewood Lake Road - Application to Disconnect - L. Trojanowski-Marconi made a motion to accept the application to disconnect for 100 Candlewood Lake Road and refer it to the engineer [Langan] for review. G. Giacobone seconded the motion and it carried unanimously.**
- c. **802-806 Federal Road - Grease Trap Confirmation (Suspension from October 2019) -** *Allan Rothman was present on behalf of the Application.* K. McPadden said last year they received an application for this property from a woman who wanted to open a café and could not connect to the grease trap so she was going to install an under-sink unit. Due to that situation, the WPCA suspended the permit for 802-806 Federal Road until they could prove to the WPCA that the two new buildings that are going in will connect the new commercial spaces to the grease trap. She said the applicant did submit a plan showing the grease trap hook-ups and C. Utschig and E. Kingsbury have reviewed the plans. A. Rothman said every space is to be connected to a grease trap. C. Utschig said they would like to see the calculations for sizing the grease traps. Attorney J. Sienkiewicz asked about how enforcement is handled when multiple tenants are using a common grease trap. D. Will said in this particular case they would have to deal with the property owner as opposed to the tenants. A. Rothman said he is fine with the property owner being responsible for monitoring and pumping the grease trap. A. Rothman noted the Board of Selectmen would like them to begin construction on this project by July 1st. **M. Brown made a motion to accept the Grease Trap Confirmation for 802-806 Federal Road, to refer it to the engineer [Langan] for review, and to authorize staff to sign off on the permit application for foundation only at the present time. L. Donovan seconded the motion and it carried unanimously.**

7. Accountant Report

- a. **Monthly Financials**-M. Allred reviewed the monthly financial report.
- b. **FY21 Budget Adoption** -M. Allred and Chairman N. Malwitz reviewed the FY21 Budget and the changes made over time. **M. Brown made a motion to adopt the FY21 WPCA Budget as presented. L. Trojanowski-Marconi seconded the motion and it carried unanimously.**

8. Old Business

- a. **Candlewood Lake Area Sewer Study Update** - Chairman N. Malwitz said the study is complete and now needs to schedule a public informational meeting. He said they also need to go before the Town for an 8-24 approval, adjust the Plan of Conservation and Development. The design needs to be finalized, then grant and bond funding put in place. Chairman N. Malwitz will reach out to the State to see how to move forward.
- b. **Facilities Plan Update** - Chairman N. Malwitz said he is working with CDM Smith, but they were not able to finish in time. He explained the work that has been done and said hopefully it will be finalized by the end of next month. He said the grant money ends in September, or possibly August.
- c. **Job Descriptions** - L. Donovan said they will have two more job descriptions to review by the next meeting.

9. Engineer Comments/Project Update

- a. **Brookfield Market Area Update** - Chairman N. Malwitz said he agreed with First Selectman S. Dunn that they would present this opportunity to the Town to help fund this project in the amount of \$340,000 and has been deferred to September or October. Attorney J. Sienkiewicz noted he drafted a resolution for this matter about a month ago, and Chairman N. Malwitz said he will review it again.
- b. **Route 133 Station Improvements** - Chairman N. Malwitz said the budget for this project is now \$360,000, including \$18,000 in inspections. C. Utschig said they have been designing this project for a few months. He said originally this project was to find a way to help operate the Route 133 Pump Station more efficiently and they are designing it to be easily converted in the future when the WPCA wants to invest in new pumps and a new control panel. This project includes a new generator along with a new wet well that will improve the pump run time and theoretically make them last longer. **Chairman N. Malwitz made a motion to send the contract documents out for bid, with the documents available for bid 7/6/2020 and the bid opening 8/10/2020. L. Trojanowski-Marconi seconded the motion and it carried unanimously.**
- c. **Other Engineering Matters** - C. Utschig pointed out that they are seeing escalating costs with construction across the board for the last couple of months and that continues to work to their disadvantage for at least a year out, possibly more. M. Brown agreed and said he has experienced wastewater contractors that were 30-40% over.

10. Employee Activity Reports (Roger, Dave, Tim, John, Mary, Kristi)

Roger: R. Prinz reported that he met with the State DOT about the Commerce Drive Force Main and the plan is acceptable. R. Prinz discussed Old New Milford Road, noting the State is requiring the contractor to do more road repair, which would be a possible extra cost. He said the rolling gate has been installed at the Route 133 Pump Station and next week the sub grade will be done for the driveway. He said they started this week with the valve pit upgrades on the North end of Federal Road, and they should have it done in a couple of weeks. He said they installed the flow meter at Eastview. R. Prinz said the CDM Smith facilities plan is being reviewed. R. Prinz said as of June 1st they have resumed normal operations with some restrictions regarding COVID-19. He said unfortunately due to COVID-19, they will not get all the pump station inspections done in the 2nd quarter. He said they are researching feasibility of replacing some existing pumps with a newer style to eliminate "Muffin monsters" and will have a report for the July WPCA Meeting.

Dave: D. Will said grease and grit separator inspections are all done with the exception of about six, and he is working on completing those by the end of next week. He is working with

individual pumpers to see who is being pumped and who is on hold due to the Coronavirus. He said surveys are on hold. D. Will reported that Burger IM is out of business, there is a new burger shop moving in that space soon. He said Pieology is set to open in July, CVS/Raymour & Flanigan sewer upgrade is done, the as-built has been submitted and the project is complete. The old TJ Maxx and CVS will become a Raymour & Flanigan mattress shop. He said paving will take place at the new Newtown Savings Bank next week and they expect to see people in the bank in August. D. Will said Savers is going out of business sometime in September. A new lessee is coming in to the space that was previously going to be Frankie's Diner and he will meet them there this week to discuss what needs to be done. Interstate Battery will be moving within the same plaza, and a new restaurant will be coming in next to Jersey Mike's. D. Will said the assisted living project at 291 Federal Rd. is owned by a big conglomerate that has seven of these going on at once, and is owned by a hedge fund, which has put a hold on the entire project. He said there is a new breakfast, lunch and dinner restaurant coming to the former Campys location and will be open mid-August. He said Parker Medical has taken over the Siemens building. He said they will be manufacturing a piece that goes into x-ray machines. D. Will said there is work going on at 777 Federal Rd., and he will keep an eye on it. He said the Italian restaurant at 800 Federal Road will be open at the end of the month with pizza only. They expect to fully open the restaurant in a month or so.

Tim: T. Strid said the pumps from the North and 777 Stations are out for repair and they have been on top of those stations, making sure they stay clean. He said a new Sparling Tiger Mag flow meter was installed at the Eastview Pump Station in house by maintenance, noting Electrical and Mission tie in scheduled for June 30, 2020 to close out this project in this FY. T. Strid said the gate is in at the Route 133 Pump Station and the contractor will be there on Tuesday at 7:30 a.m. to start the job on the driveway. T. Strid said Chairman N. Malwitz asked him to do some research on the New Tiger Mag flow meter for the Caldor Station. He said he got some quotes and is in the process of getting the information together hopefully for the next meeting. He said he did a new connection inspection this month at Twins BBQ and everything is good, the as-built should be submitted to K. McPadden shortly.

John: J. Siclari said he is working daily on coronavirus issues, which has subsided somewhat. He said hopefully June will be the last month compiling virus-related labor and material expenses for a FEMA claim. He said the BWPCA has reopened as of June 1st for employees only (no public at this time). All employees are back working out of our office. The installation of a sneeze shield at our transaction counter was completed. Customers will be allowed to enter building by appointment only. All employees will have their temperature checked daily. All visitors will have their temperature checked, answer the CDC's screening questions regarding health and sign in on the contact tracing log before entering the office. He said Quarterly GIS meeting with Joe Rosol was last week. In addition to Joe working on many ongoing improvements, he is also working on compiling a database for pump stations and grease trap inspection fees that will work with our QDS billing system. J. Siclari said Archibus came back with an estimate of over \$121,000 over 3 years for the Asset Management Program. He said that is too much money and Joe Rosol will be looking into using the current GIS system data base to perform some basic asset management functions. He said they received FEMA reimbursement for May 2018 Storm for \$11,751.84. FEMA took out category "Z" management fees of \$587.59. Once FEMA signs off on the management fees, we will receive the \$587.59 which will bring the total to \$12,339.43. He said the Town will be initiating a time and attendance program. J. Siclari and K. McPadden attended an Executime webinar on June 4th, and he sat in on a Kronos webinar on June 12th. Once estimates are in, we will look at our current way of tracking time and attendance, vs. signing up with an outside company. He said they are continuing to work on pay policy revisions. These will need to be completed and in place for the Time and Attendance program to work. J. Siclari discussed the Lower Federal Rd improvements and said rumor has it

that there may be delays due to Covid-19 and budget constraints. J. Siclari said the construction contract for the Vale Rd water line extension from Berkshire Corp Park to Greenfield Global, 58 Vale Rd, was awarded to Tinker Construction. Since our sewer line is in the road, we will be monitoring construction this summer.

Mary: M. Ongaro said she had a refund request from a customer who overpaid a significant amount, due to confusion between a check payment and an online payment, in the amount of \$1,222.75. **L. Donovan made a motion to refund the duplicate payment from Leonard & Candace Pace, 17 Silvermine Manor, Account #2210, as indicated in the list of requisitions. L. Trojanowski-Marconi seconded the motion and it carried unanimously.** M. Ongaro discussed refunds needed for 11 other accounts due to complications with some accounts having past due accounts and being over-billed through QDS. M. Ongaro said she has received an inquiry from Coco Nails regarding any relief being offered for their bill from the past few months due to their business being closed from March through June. Attorney J. Sienkiewicz suggested collecting these types of inquiries over the next 30 days to see if more customers will make the same requests. Chairman N. Malwitz said the WPCA will have to work on something for this issue, but if a customer indicates they have been closed, their bill could go down to one unit and they could issue a credit for the next bill, not a refund. He said they will think this over and make a decision at a later date.

Kristi: K. McPadden said there have been a lot of issues with Invoice Cloud during this billing cycle. She said she is setting up training for the file storage portal with Future Subnets and hopes to get it done this week or next week. She is getting ready for the new fiscal year. She said they received a few connection inquiries.

11. Legal Matters

- a. **Silvermine Manor Permanent Maintenance Agreement Update** - Attorney J. Sienkiewicz said there has been no progress and they will probably need to bring them in for a Show Cause Hearing when they are back to having in-person meetings. He said they have not returned any of his calls or correspondence.
- b. **Other Legal Matters** - Chairman N. Malwitz discussed the Branson facility coming on in the 4th quarter with 220 employees. He said this will affect the Benefit Assessment rate for properties on the Three Condo Project line.

12. Other WPCA Matters

- a. **Danbury Plant Update** – No New Information; No discussion.
- b. **Standby/On Call Pay Policy** - Chairman N. Malwitz said per the recommendations by CDM Smith and others, weekend and holiday station checks will stop. There will be a program where one will be on call and they will get compensated for being on call.
- c. **Other WPCA Matters** - Chairman N. Malwitz noted a conversation he had with D. Will regarding the use of assistance devices to lift manhole covers for inspection.

13. Vouchers- L. Trojanowski-Marconi made a motion to approve the vouchers as presented. L. Donovan seconded the motion and it carried unanimously.

14. Adjournment

L. Trojanowski-Marconi made a motion to adjourn at 9:30 p.m. L. Donovan seconded the motion and it carried unanimously.

*** Next Meeting July 22, 2020 ***

730 Federal Road, LLC Sewer Line Extension Request Resolution #1:

I move that the Authority approve the application for sewer extension permit filed by 730 Federal Road, LLC and to issue to 730 Federal Road, LLC the proposed Laurel Hill Road Sewer Extension Permit drafted by the Authority's counsel (attached hereto) to permit construction of approximately 350 feet of 8" sewer line with five (5) manholes within Laurel Hill Road as necessary to provide sewer service to property known as 37 Old Route 7. Such approval is based on the following considerations:

a) the proposed sewer extension is consistent with the Town of Brookfield and State of Connecticut Plans of Conservation and Development and with the Authority's Water Pollution Control Plan;

b) the proposed construction plan and specifications have been reviewed and approved by the Authority's consulting engineer who has determined that the proposed construction will conform to the technical requirements of the Brookfield Sewer Use Rules and Regulations and will meet the minimum requirements of the current New England Interstate Water Pollution Control Commission "Guides for the Design of Wastewater Treatment Works" (a/k/a TR-16) to the extent applicable to sewer line construction;

c) the applicant will be ordered as a condition of approval to submit an original and three copies of a map showing the location of the sewer extension project and showing changes in the municipal sewer service area resulting from such sewer extension project. The map shall be sufficient to satisfy the requirements of the May 20, 2015 memo from the Connecticut Department of Energy and Environmental Protection pertaining to locally funded wastewater infrastructure plans and specifications;

d) The proposed sewer line extension has been approved by the Board of Selectmen pursuant to Town Ordinance and by the Brookfield Planning Commission pursuant to Section 8-24 of the General Statutes; and

e) the conditions set forth in the Laurel Hill Road Sewer Extension Permit to be issued to the applicant contains conditions required by the Sewer Use Rules and Regulations as necessary to protect the interests of the Authority and the Town.

I further move that following completion of the sewer extension project, the Executive Director, or other staff, submit a copy of this resolution and of the revised sewer service area map to

Director, Planning & Standards Division
Bureau of Water Protection and Land reuse
Department of Energy and Environmental Protection
79 Elm Street
Hartford, CT 06106

in accordance with the May 20, 2015 memo concerning locally funded wastewater infrastructure plans and specifications

730 Federal Road, LLC Community Sewerage System Request Resolution #2:

I move that the Authority approve the application for a community sewerage system filed by 730 Federal Road, LLC subject to the execution of the proposed Permanent Sewer Maintenance Agreement for 37 Old Route 7 as drafted by the Authority's counsel (attached hereto) so as to permit construction of a community sewerage system to serve 12 residential condominium units on property known as 37 Old Route 7. Such approval is based on the following considerations:

- a) the conditions of approval set forth in the proposed Permanent Sewer Maintenance Agreement for 37 Old Route 7 contain conditions necessary to demonstrate compliance with Sections 5.2.2, 5.5 and 5.6 of the Sewer Use Rules and Regulations and as necessary to protect the interests of the Authority and the Town.
- b) the property to be served is eligible for sewer service under the Authority's Water Pollution Control Plan and Sewer Use Rules and Regulations; and
- c) the applicant has demonstrated that the project has received necessary local land use approvals as required by Section 5.5(5) of the Sewer Use Rules and Regulations.