

Minutes not yet
approved. Approval
and any edits made in
succeeding minutes.

BROOKFIELD WATER POLLUTION CONTROL AUTHORITY

53A Commerce Rd., Unit 1, Brookfield, CT 06804

Wednesday, June 28, 2023, 7:00 p.m.

MINUTES

Zoom Call-In Info:

<https://us02web.zoom.s/j/89163691250?pwd=eXVvS2ZsMXA3anJvaU5oREhBbFA4dz09>

Meeting ID: 891 6369 1250 Passcode: 7757319

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

WPCA:

Chairman N. Malwitz,
Vice Chair L. Trojanowski-Marconi,
J. Murray, Member
L. Donovan, Member
M. Brown, Member
M. DelValle, Member

Others:

L. McMahon, Langan Engineering
C. Utschig, Langan Engineering
S. Harding, WPCA Attorney
A. Kennedy, Operations Manager
K. McPadden, Executive Administrator
R. Prinz, Chief of Maintenance
T. Strid, Inspector
M. Ongaro, Collector
C. Varien, Recording Secretary

2. **Approval of Minutes** - 5/24/23 - No discussion. **M. Brown made a motion to approve the minutes from 5/24/23 as submitted. L. Trojanowski-Marconi seconded the motion, and it carried unanimously.**

3. **Correspondence/Public Comment/Informal Discussion**

- a. Letter from The Linden, dated 6/16/23, Re: Request to defer 2% CCRCC – Chairman N. Malwitz explained that The Linden has requested a deferral of their 2% Capital Cost Recovery Connection Charge (CCRCC). A. Kennedy explained that once a charge reaches over \$100,000 it can be billed over 9 years with a \$25,000 deposit. K. McPadden reported that the \$25,000 had been received, and submitted a spreadsheet calculating the total amount that will be paid, including principal, interest, and \$25,000 deposit. **A motion was made by J. Murray to accept the deferral request from Columbia Brookfield LLC, allowing the 2% CCRCC charge to be billed over 9 years. The motion was seconded by L. Donovan and passed unanimously.**
- b. Informal Discussion Re: 854 Federal Road Proposed Modification of Approved Sewer Connection - *J. Camden, President of AR Development, was present.* J. Camden explained AR Development's history as a real estate development company and showed examples of other projects. The current proposed is a 51-unit apartment building with a 4-story elevator. Bill Sweeney, the lawyer involved inquired how they would be able to take advantage of the sewer system already approved for the Enclave project, which includes 854 and 874 Federal Road. Attorney S. Harding explained that AR Development would have to apply for a new permit, as neither the existing permit, nor the capacity are transferable. Attorney S. Harding said he would be willing to speak with AR Development's counsel regarding this project in the future.

4. Accountant Report

- a. Monthly Financials - M. Allred discussed the monthly financial report.
- b. 2% CCRCC Funding – M. Allred explained that the 2% CCRCC monies collected since 2015 were deposited into Operating, and it is his recommendation that the amount received be transferred into Unrestricted Capital. K. McPadden asked if this would include both principal and interest, and M. Allred said that the interest could not be separated from the calculated total. **J. Murray made a motion to transfer \$282,923.99 of 2% Capital Cost Recovery Connection Charge (CCRCC) funds from the Operating Account to the Unrestricted Capital account and that all future CCRCC funds collected would go into the Unrestricted Capital Account going forward. L. Donovan seconded the motion, and it carried unanimously.**
- c. Vouchers - K. McPadden reviewed the list of vouchers and expenses. L. Donovan raised a topic for discussion about the \$4,600 that went towards new laptops and if the equipment is being replaced too frequently. A. Kennedy explained that the WPCA would get 2 new laptops a year but not to the same people. There is a 2-year schedule based on the expiration dates of the staff laptops, which coincide with the warranty expiration date. This plan would be for two people to have their laptops replaced every two years and is included in the yearly budget for \$6,000. A. Kennedy said that Future Subnets are not great about responding to emails and inquiries. They have to email multiple times to receive a response. The Commission is just now being billed for work done in May 2022. M. DelValle suggested that the WPCA should get its technology and IT service from a different company. A. Kennedy says that she and K. McPadden will begin looking at other vendors. **L. Trojanowski-Marconi made a motion to approve the vouchers as submitted. M. Brown seconded the motion, and it carried unanimously.**

5. Old Business - None

6. New Business

- a. 103 Junction Road - Application to Connect Sewer - *S. Sullivan, Engineer, CCA, LLC, was present.* S. Sullivan explained that the application to connect the sewer would be to provide sewer to small businesses on Junction Road, which totals 19,780 sq. ft. The 0.1 gallons per day per sq. ft. would allow the average daily flow to total 1,978 gallons. K. McPadden calculated the engineering review and inspection fees at \$2,550. **M. Brown made a motion to accept the application for review, forward it to Langan for review, and set the engineering review and inspection fees at \$2,550. L. Trojanowski-Marconi seconded the motion, and it carried unanimously.**
- b. 616 Federal Road - Grease Trap Waiver - T. Strid explained that the type of grease trap that should be used would be an above-ground trap instead of one under the floor. T. Strid said he will send a description of the proposed above-ground trap to Chuck Utschig from Langan Engineering instead of a previous model. **L. Trojanowski-Marconi made a motion to approve the Grease Trap Waiver for 616 Federal Road, based on the recommendation from Chuck Utschig from Langan Engineering, with two conditions: 1) The applicant submits a new under sink grease interceptor that is acceptable to the Commission; and 2) If the use changes, the property owner will notify the WPCA and apply for any additional permits or approval that might be required for the new use. M. Brown seconded the motion, and it carried unanimously.**

7. Project Updates

- a. Candlewood Lake Area Project - Chairman N. Malwitz shared a CDM Smith update that the work is continuing to advance conceptual designs. At this point there are about 6 alternate system designs with costs associated with each. One cost alternate is to show costs for a septic upgrade option. CDM Smith expects to have the full report ready by the August WPCA meeting.
- b. Dean/Pocono Road Area Project - Chairman N. Malwitz explained that they will not hear back on the LISFF grant application until November.
- c. Brookfield Market Area Project - *Dara was present on behalf of the Brookfield Market Area.* A. Kennedy explained that CT DEEP has all of the information they need, and the WPCA is waiting on approval of the plans prior to receiving the promised \$500,000 STEAP grant.
- d. Route 133 Station Project Phase II - R. Prinz and T. Strid went to the site to discuss design issues. A large hole was dug for a future manhole to be added. R. Prinz estimated that the package would be able to go to bid as early as August. T. Strid asked C. Utschig from Langan Engineering if they could move forward with the selection of the pumps. C. Utschig said that he and L. McMahon would work on getting the pumps specified with the idea that the WPCA would purchase this long lead time item.
- e. Caldor Valve Bypass Project - R. Prinz said that the valves arrived, and since the precast has already been set in place, the next step would be to start installing the by-pass valves and piping. T. Strid explained the station will have to be shut down for a few night hours to do the changeover.
- f. Danbury Plant & Brookfield Allocation - Discussion of Next Steps - Chairman N. Malwitz reviewed the recent correspondence regarding Brookfield's allocation with Danbury. He discussed the application by Danbury to CT DEEP. It will require Brookfield submitting an Inflow and Infiltration (I&I) study. BWPCA is awaiting instructions as to what to submit. Chairman N. Malwitz explained that there is no Connecticut protocol report I&I effectiveness. It is suggested that Brookfield propose a protocol from Massachusetts. There is a company able to do an I&I report for free. They receive federal funds to support small towns. The Commission continued to discuss the capacity concerns. A. Kennedy said that both C. Utschig and L. McMahon were on vacation when she sent the proposal for a study of future flows, so they will need more time to respond to the Commission. M. Brown suggested hiring Langan to produce a complete engineering study of our flows and capacity as a basis for future regulation. Chairman N. Malwitz and the Brookfield Controller engaged Bond Counsel about how to pay for the Brookfield share of the Danbury plant, which will end up requiring financing of about \$3 million. There are several possibilities, such as bonding, a loan from the CWF, or even financing from Danbury.

- 8. Employee Activity Reports** - R. Prinz said that when he and T. Strid met with the State of Connecticut, they were at 500 Federal Road, where a sewer line runs through a catch basin installed in 1992. The official from the State of Connecticut said that the Town of Brookfield needs to move its sewer line out of that catch basin. R. Prinz said that the WPCA has a permit on the line, the State of Connecticut approved it, and the inspector approved it. He wanted to bring this to the attention of the Commission in case the State of Connecticut follows up on the issue. The camera work by R. Prinz and T. Strid at the 777 Pump Station Basin went well, and everything looked good.

9. Legal Matters

- a. Collection Update - No discussion.
- b. Other Legal Matters - No discussion.

10. Other WPCA Matters

- a. WPCA Bylaws & Code of Conduct - Since the WPCA does not have Bylaws or a Code of Conduct, Attorney S. Harding explained the first draft he wrote up. He said the Bylaws are not supposed to be complicated and are to explain how meetings are run, and Commissioners are elected. The WPCA has been following how the Town of Brookfield's boards run their meetings. Attorney S. Harding said that the only two required positions are a Chairman and a Vice-Chairman and that a Treasurer and Secretary are not necessary. L. Donovan was in favor of electing a Commission Secretary to keep track of all the meeting minutes. K. McPadden said that this is already part of her job, so there is no need for an extra person to be elected to which L. Trojanowski-Marconi agreed. M. DelValle asked why the Bylaws need to be a separate document regarding meetings if it is similar to Robert's Rules of Order. Attorney S. Harding explained that the Bylaws would be specific to the WPCA. L. Donovan said that the citizens of the Town of Brookfield should be able to pick up and read the WPCA Bylaws to make sure the Commission is doing its job. Attorney S. Harding explained that the Bylaws would say that the WPCA abides by the Brookfield Code of Conduct and Ethics. He said it would explain how the Chairman and Vice-Chairman would be elected annually at the February Regular Meeting and will serve until their successor takes office.
- b. Proposed Procurement Policy - Tabled from May 24, 2023 meeting - Chairman N. Malwitz said that the Proposed Procurement Policy should be left on next month's Regular Meeting Agenda. The Commission members should read the Proposed Procurement Policy draft written by K. McPadden as well as L. Donovan's edit and be prepared to discuss it at the next regularly scheduled meeting.
- c. WPCA Website Update - A. Kennedy explained that the WPCA website was being updated to include a calendar of Commission Meetings, similar to the Town of Brookfield's website, and an overall cosmetic update.
- d. Other WPCA Matters - None

L. Trojanowski-Marconi made a motion to go into Executive Session at 8:18 p.m., including K. McPadden, A. Kennedy, and Attorney S. Harding. L. Donovan seconded the motion, and it carried unanimously.

11. Executive Session

- a. Pending Litigation
- b. Personnel Matters

No motions were made during Executive Session.

L. Trojanowski-Marconi made a motion to come out of Executive Session at 10:21 pm. L. Donovan seconded the motion, and it carried unanimously.

L. Trojanowski-Marconi made a motion to accept the 7/1/23 salary recommendations as presented. L. Donovan seconded the motion, and it carried unanimously.

- 12. Adjournment - L. Trojanowski-Marconi made a motion to adjourn at 10:22 pm. Jim Murray seconded the motion, and it carried unanimously.**