

BROOKFIELD WATER POLLUTION CONTROL AUTHORITY
Wednesday, March 27, 2019 7:00 p.m.
Brookfield Town Hall, Room 133
MINUTES

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

WPCA:

N. Malwitz, Chair
L. Trojanowski-Marconi, Vice Chair
M. Delvalle
T. E. Lopez
P. Kurtz

Others:

R. Prinz, Maintenance Manager
D. Will, Inspector
J. Sienkiewicz, Attorney
E. Kingsbury, Langan Engineer
M. Allred, Accountant
K. McPadden, Executive Administrator
J. Siclari, Director
M. Ongaro, Collector
A. Kennedy, Recording Secretary

❖ **7:00 p.m. PUBLIC HEARING: 2018 Levy of Supplemental Benefit Assessments**

Annealissa Green, 18 Oak Meadows Drive, Michael Spennicchia 19 Short Oak Drive and Rich Saluga 32 Great Heron Lane were present. Chair N. Malwitz opened the public hearing and read aloud the public notice published in the Pennysaver. He then explained the details of how assessments are calculated and asked if there were any questions from the public. A. Green asked about when they would have been notified about this benefit assessment and Chair N. Malwitz explained she should have been notified when she purchased the property. Attorney J. Sienkiewicz noted it is the developer's responsibility to notify new homeowners, not the responsibility of the WPCA. M. Spennicchia asked if the bill is the responsibility of the resident or the developer and Chair N. Malwitz said it is the responsibility of the homeowner. Chair N. Malwitz said this information should have been in the prospectus when they purchased the property and suggested the homeowners to go back and review their documentation. M. Spennicchia also asked how they would be billed for this. Chair N. Malwitz and M. Ongaro explained how the assessment would be billed and the payment options available. R. Saluga made comments regarding the calculation of assessments that he believes were incorrect. Attorney J. Sienkiewicz explained the process of property valuations and calculating assessments. The Authority will look into it. **T. E. Lopez made a motion to close the public hearing for the 2018 Levy of Supplemental Benefit Assessments. L. Trojanowski-Marconi seconded the motion and it carried unanimously.**

2. **Approval of Minutes-2/27/19-T. E. Lopez made a motion to approve the minutes from 2/27/19. L. Trojanowski-Marconi seconded the motion and it carried unanimously.**

3. **New Business**

- a. 91 Laurel Hill Road-Application to Connect to Sewer-*N. Bartolomeo was present. S. Sullivan, CCA, LLC was present.* N. Bartolomeo said at the last meeting the Authority asked him to have some septic tests done at the property to determine if it was in fact in failure. He said he was not able to test the fields because of bad weather. He said he got a building permit to work on the bathroom in the house and needed to disconnect the sewer lines. He said a sewer contractor did some tests and reported there were some cracks in the septic tank and the water level was low, indicating it could be leaking. Attorney J. Sienkiewicz said if Mr. Bartolomeo is claiming the septic system is failing or is in danger of

imminent failure, he would have to provide written documentation from a professional engineer, verified by the Town's Sanitarian. K. McPadden said she spoke with P. Avery and he will go out and do soil testing and will then make his recommendation. N. Bartolomeo said he is improving the property and is requesting to connect to the sewer prior to his paving of 27 Station Road. Attorney J. Sienkiewicz explained that the WPCA has to abide by the regulations in place and N. Bartolomeo will need to speak with the Town's Sanitarian in order to move forward.

- b. To act upon Proposed Levy of Supplemental Benefit Assessments-**L. Trojanowski-Marconi made a motion to accept the resolution approving the Federal Road assessments as proposed. T. E. Lopez seconded the motion and it carried unanimously.**

4. Old Business

- a. 401 Federal Road, Parcel B-Application for Sewer Use/Connection Permit-*S. Sullivan, CCA, LLC was present.* S. Sullivan said they received a letter from Langan today and they are in agreement with their comments and suggestions for the connect, and CCA will adjust the plans accordingly. E. Kingsbury reviewed the comments and suggestions made by Langan in the letter. **Chair N. Malwitz made a motion to approve 401 Federal Road, Parcel B-Application for Sewer Use/Connection Permit based on a Langan letter dated March 27, 2019, with the Applicant to comply with the conditions of the Langan letter, and subject to the submission of revised plans by April 15th. T. E. Lopez seconded the motion and it carried unanimously.**
- b. 77 Vale Road-Application for Sewer Use/Connection Permit-*S. Sullivan, CCA, LLC was present.* S. Sullivan said they received a letter from Langan today, in which Langan recommended approval with no comments or suggestions for changes to the plans. **L. Trojanowski-Marconi made a motion to approve 77 Vale Road-Application for Sewer Use/Connection Permit. T. E. Lopez seconded the motion and it carried unanimously.**

5. Accountant Report

- a. Monthly Financials-M. Allred distributed the current financial report and discussed the details of the monthly financials. He also distributed the Annual Analysis of Danbury Fees, and it was agreed that the per gallon estimate of .0028 will continue for the next fiscal year. No motions.
- b. FY20 Budget Presentation-Chair N. Malwitz reviewed the details of the proposed budget. **L. Trojanowski-Marconi made a motion to accept the budget as presented and modified. T. E. Lopez seconded the motion and it carried unanimously.**
L. Trojanowski-Marconi made a motion to set a public hearing for April 24, 2019 at 53 Commerce Road for the purpose of adjusting the Danbury Plant Charge from \$44 to \$26 per unit annually. T. E. Lopez seconded the motion and it carried unanimously.

6. Engineer Comments/Project Update

- a. Dean/Pocono Road Project-Chair N. Malwitz said the 319 Grant application is due by 4/3/19 and the WPCA is working with Lombardo Associates and HVA to submit the application to the state.
- b. GIS Collector as Asset Management Database-E. Kingsbury reported that Joe Rosol from Langan has put in all of Brookfield's asset management in the database now and only has to add new approved applications as they come in. He will put assigned values to the assets. Chair N. Malwitz asked that Langan give them an estimate for the replacement cost for the entire system.

- c. Commerce Road Force Main Discharge Manhole-E. Kingsbury said these plans are done and now that the weather is better he and R. Prinz will schedule a test pit to determine the depth of the new valve chamber they are putting in.
- d. Federal Road Projects-E. Kingsbury reported that Langan met with N. Malwitz, J. Siclari and R. Prinz to review the Federal Road projects, the flow meter and Route 133 Station. They have prepared a proposal for their Engineering services for each one. The Authority reviewed and discussed the proposals. **L. Trojanowski-Marconi made a motion to accept Langan's seven (7) proposals, except for item 6B, for the Federal Road projects. T. E. Lopez seconded the motion and it carried unanimously.**
 - Old New Milford/Federal Rd Force Main Backup
 - Lower Federal Road;
 - Caldor Force Main Repair Project
 - North Federal Rd. Valve Pit (Engineering work approved for all these items)
- e. Flow Meters Cedarbrook & Stony Hill Stations – Engineering work approved. See above.
- f. Route 133 Station Improvements – Engineering work approved. See above
- g. Other Engineering Matters - None

7. Employee Activity Reports

John: J. Siclari distributed his report to the Authority. He reported on Rollingwood semi-final payment made to TD & Sons. He gave an update on TCD, discussed grease traps and using pumper to assist D. Will. He noted that Chad resigned. He opined they are now shorthanded. He is meeting with an IT provider tomorrow to discuss a possible new IT contract. J. Siclari said they are looking into getting uniforms, he discussed the Commerce Road building and installing control entry to the front door. He said there is a continuing punch list with IT.

Roger: R. Prinz distributed his report to the Authority. He discussed the status of PS#1 Tigermag and FM upgrade. He said he has asked multiple companies for proposals for the Commerce Rd. force main discharge manhole and discussed details of the project. He discussed the Rollingwood Sewer Extension and said they will be closing that project by May 30, 2019. R. Prinz discussed projects in the southwest area, including another lane in front of Chick-fil-A. He said J. Rosol is doing a great job with the GIS and they have been using it a lot. He said Mission Communications did an upgrade push and three stations had alarms going off. They were notified that all 20 units had to be updated with new firmware. R. Prinz said crew member Chad resigned effective March 1, so they are now down to 2 field people. He said the Brookfield PD are borrowing the generator again, and he told them if they need it more than two weeks they will need to discuss a plan and submit something in writing. R. Prinz said the new offices are good, with some minor complaints. He also discussed the issues regarding installation of a flagpole.

Dave: D. Will distributed his report to the Authority. He said inspections of grease and grit separators are halted right now and will resume next month. He gave an update on the Four Corners Project and surveys. He gave updates on field service including Raymour & Flanigan, 4 Production Drive, 1114 Federal Road, Trixie's, Sylvan Learning Center, El Coyote and Urban Pizza.

Mary: M. Ongaro said she has been working with Jeff and Carol and the April levy and sale has been postponed. She is working on the June billing, which will be ready to go out at the end of May.

Kristi: No report.

8. Legal Matters

- a. Permanent Maintenance Agreement Updates-J. Sienkiewicz is working on updating a few agreements at this time.
- b. Berkshire Corporate Park Sewer Takeover-J. Sienkiewicz said the big issue is that they were only proposing a small easement in the center of the road. He is negotiating a full easement all the way across without having to get permission from the WPCA to do work on the outside parts. J. Sienkiewicz also noted the video inspection has not yet been done.
- c. 857 Federal Road-Easement & Request for Permit Extension-J. Sienkiewicz said he never heard back on this matter. The permit is expired and the money that is being held should be returned.
- d. Other Legal Matters-Chair N. Malwitz noted J. Sienkiewicz attended the Danbury Plant discussion with Nelson and John. A draft of a new inter-local agreement is anticipated.

9. Other WPCA Business

- a. Danbury WWTP Upgrade Update-*J. Murray was present via telephone.* Attorney J. Sienkiewicz discussed amendments approved in January 2019 and administrative corrections needed for those motions. **L. Trojanowski-Marconi made a motion to reconsider the January 23, 2019 Item 4d motion approving amendments to the regulations. J. Murray seconded the motion and it carried unanimously. L. Trojanowski-Marconi made a motion to make an additional correction to the proposed regulations by deleting language from Section 7.1.2 dealing with regulatory changes that had not been made concerning transferring to a billing system based on water meter readings J. Murray seconded the motion and it carried unanimously. L. Trojanowski-Marconi made a motion to readopt the amendments as originally approved on January 23, 2019 with the additional correction to Section 7.1.2. J. Murray seconded the motion and it carried unanimously.** Chair N. Malwitz discussed updates from the meeting on Monday regarding the Danbury Plant upgrades and Brookfield's percentage of the Danbury Plant Charge. He discussed a proposal for a CD from Savings Bank of Danbury for \$340,000 at 3% for two and a half years. **T. E. Lopez made a motion to purchase a CD from Savings Bank of Danbury for two and a half years at 3% in the amount of \$340,000. M. Delvalle seconded the motion and it carried unanimously. T. E. Lopez made a motion to name K. McPadden, N. Malwitz, L. Trojanowski-Marconi and J. Murray as signatories on the new CD. P. Kurtz seconded the motion and it carried unanimously.**
- b. Candlewood Lake Area Sewer Study-Resolution **T. E. Lopez made a motion to adopt the Authorizing Resolution Required to Obtain Clean Water Fund Financing For Water Pollution Abatement Facilities as follows: Be it resolved that in connection with the development of, and funding for, a Candlewood Lake Area Wastewater Management Plan, it is in the best interests of the Brookfield Water Pollution Control Authority to enter into contracts with the Department of Energy & Environmental Protection. In furtherance of this resolution, the Chairman of the Authority, currently Nelson Malwitz, is duly authorized to enter into, and sign said contracts on behalf of the Brookfield Water Pollution Control Authority. The Chairman is further authorized to provide such additional information and execute such other documents as may be required by the state or federal government in connection with said contracts and to execute any amendments, rescissions, and revisions thereto. L. Trojanowski-Marconi seconded the motion and it carried unanimously.**
- c. Water Pollution Facilities Plan-Resolution-**L. Trojanowski-Marconi made a motion to adopt the Authorizing Resolution Required to Obtain Clean Water Fund Financing For Water Pollution Abatement Facilities as follows: Be it resolved that in connection**

with the development of, and funding for, a Brookfield Sewer Service Facilities Plan, it is in the best interests of the Brookfield Water Pollution Control Authority to enter into contracts with the Department of Energy & Environmental Protection. In furtherance of this resolution, the Chairman of the Authority, currently Nelson Malwitz, is duly authorized to enter into, and sign said contracts on behalf of the Brookfield Water Pollution Control Authority. The Chairman is further authorized to provide such additional information and execute such other documents as may be required by the state or federal government in connection with said contracts and to execute any amendments, rescissions, and revisions thereto. T. E. Lopez seconded the motion and it carried unanimously.

- d. Dean Road Extension 319 Grant-Resolution- T. E. Lopez made a motion to adopt the Authorizing Resolution Required to Obtain Section 319 Financing For Water Pollution Abatement Facilities as follows: Be it resolved that in connection with the development of, and funding for, a Septic System Wastewater Management Plan, and specifically for septic pollution abatement in the Dean Road-Pocono Road area of Brookfield, it is in the best interests of the Brookfield Water Pollution Control Authority to enter into contracts with the Department of Energy & Environmental Protection. In furtherance of this resolution, the Chairman of the Authority, currently Nelson Malwitz, is duly authorized to enter into, and sign said contracts on behalf of the Brookfield Water Pollution Control Authority. The Chairman is further authorized to provide such additional information and execute such other documents as may be required by the state or federal government in connection with said contracts and to execute any amendments, rescissions, and revisions thereto. L. Trojanowski-Marconi seconded the motion and it carried unanimously.
- e. Other WPCA Matters-Chair N. Malwitz talked to Fern in HR today about a new full-time position. He would like to look for someone with an associate's degree in engineering. He said they will post the job toward the end of next week, and hopefully hold interviews at the end of April.

10. Vouchers-T. E. Lopez made a motion to accept the vouchers as presented. L. Trojanowski-Marconi seconded the motion and it carried unanimously.

11. Adjournment-L. Trojanowski-Marconi made a motion to adjourn at 10:00 p.m. T. E. Lopez seconded the motion and it carried unanimously.

*** Next meeting April 24, 2019 ***

RESOLUTION APPROVING
2018 FEDERAL ROAD
SUPPLEMENTAL BENEFIT ASSESSMENTS

Whereas, the Brookfield Water Pollution Control Authority has constructed improvements to the Brookfield Sewer System known as the Federal Road Sewer Extension and has conducted a public hearing and has given due consideration to the comments of the public presented at such public hearings:

Now Therefore, be it resolved as follows:

1. Pursuant to resolutions adopted by the Authority on June 23, 1993 and July 28, 1993, as amended by resolution adopted on March 21, 2007 and as modified by resolutions adopted on January 11, 2012 and April 22, 2015, the Authority hereby levies a supplemental benefit assessment against each of the properties and the owners thereof as set forth on **Schedule A** as such properties have been improved so as to increase their assessed valuation for tax purposes or have received a certificate of occupancy between October 1, 2017 and September 30, 2018. The supplemental benefit assessments are in an amount equal to **4.65%** of the property's equalized assessed value as of October 1, 1983, less any applicable credits as more fully described in Section 7 of the Authority's resolution of March 21, 2007, as modified by the Authority's resolutions of January 11, 2012 and April 22, 2015.

2. Such supplemental benefit assessments shall be due and payable on **June 1, 2019**, provided however, that at the option of the owner, the supplemental benefit assessment may be paid in **four (4) equal annual installments of principal**, the first of which shall be due on **June 1, 2019** and with subsequent installments due on June 1 of each subsequent year, together with interest on the unpaid principal amount of such supplemental benefit assessment at the rate of 5.5% per annum; provided further, however, that if any such installment remains unpaid for thirty (30) days after the same shall become due and payable, then at the option of the Authority, the entire unpaid balance of such benefit assessment, together with all unpaid interest, shall become immediately due and payable. The Authority shall have all of the rights provided by Section 7-254 of the Connecticut General Statutes, as amended, with respect to delinquent assessments.

3. Any property owner subject to such supplemental benefit assessment may prepay any or all installments for which such property owner is liable at any time prior to the due date thereof and no interest on any such prepaid installment shall be charged beyond the date of such payment.

4. The Executive Administrator of the Authority is directed to cause notice of the levy of such supplemental benefit assessments *and of the due date for payment of such supplemental benefit assessment* to be filed in the Office of the Brookfield Town Clerk not later than on April 26, 2019 and to be published twice in a newspaper having circulation in the Town of Brookfield and in the Brookfield Yankee Pennysaver, the first such publication to be not later than April 26, 2019, and the second such publication to be not later than May 9, 2019, and to mail a copy of such notice, and of such supplemental benefit assessment, to the affected property owner at the owner's address as shown on the last completed grand list, or to any such subsequent address of which the Authority may have knowledge, not later than April 26, 2019.

SCHEDULE A
Proposed Supplemental Benefit Assessments

<u>Owner</u>		<u>Address</u>	<u>Proposed Assessment</u>
Sabatano, Dave & Antoinette	10	Oak Meadows Drive	\$3,555.29
Ericson, Mark & Carlson, Robin	11	Oak Meadows Drive	\$3,515.90
Castellucci, Nancy & Nicholas	12	Oak Meadows Drive	\$3,485.40
Asistin, Rodolfo & Fides, Ana Maria	13	Oak Meadows Drive	\$3,515.90
Kalb, Richard & Mary	14	Oak Meadows Drive	\$3,586.59
Hartman-Ng, Mei	16	Oak Meadows Drive	\$3,411.69
Frietary, Natasha	17	Oak Meadows Drive	\$3,382.46
Green, Annealissa	18	Oak Meadows Drive	\$3,382.46
Gantnier, Kevin & Vongsaroj, Audrey	19	Oak Meadows Drive	\$3,586.59
Rossi, Kimberly Lauren	20	Oak Meadows Drive	\$3,586.59
Pugliese, Francesca	21	Oak Meadows Drive	\$3,423.76
Brustlin, Zephyr	22	Oak Meadows Drive	\$3,423.76
Bassani, Jean	23	Oak Meadows Drive	\$3,586.59
Vudattu, Nalini & Chiranjeevi	24	Oak Meadows Drive	\$4,154.80
Knapp, Shawn	25	Oak Meadows Drive	\$4,118.27
Lounsbury, Jill	5	Short Oak Drive	\$3,389.45
Hasmukh, Patel Lalajibhai & Roshani	8	Short Oak Drive	\$3,657.12
Handal, Victor	13	Short Oak Drive	\$3,671.57
Spennicchia, Michael & Veronica	19	Short Oak Drive	\$3,476.98
Dos Santos, Max & Sonait, Vivienne	26	Short Oak Drive	\$3,443.62
Flaherty, Johnathan & Vernagetti, Elena	27	Short Oak Drive	\$4,108.89
Hartlieb, Jason & Linda	28	Short Oak Drive	\$4,108.89
Gerrald, Jashmal	29	Short Oak Drive	\$4,108.89
Defino, Frank Anthony & Terri-Lynne	30	Short Oak Drive	\$4,273.47
Wang, Bingnan	35	Short Oak Drive	\$4,108.89
Mobley, Rochelle	36	Short Oak Drive	\$4,196.26
Stepniak, Mariusz & Agnieszka	38	Short Oak Drive	\$4,108.89
Minino Homes Inc.	540	Federal Road	\$7,594.17
Brookfield Village Residential Limited Partnership	800	Federal Road	\$22,256.36
Brookfield Village Residential Limited Partnership	7	Station Road	\$38,269.71