

WATER POLLUTION CONTROL AUTHORITY
Town of Trumbull
CONNECTICUT

TOWN HALL
(203) 452-5048



5866 MAIN STREET
TRUMBULL, CT 06611

JUNE 24, 2015
7:00 p.m. Long Hill Room

PUBLIC HEARING
JUNE 24, 2015
2015 ASSESSMENT
TRUMBULL, CONNECTICUT

Pursuant to section 7-255 of the Connecticut General Statutes, the Trumbull Water Pollution Control Authority will hold a Public Hearing, on Wednesday, June 24, 2015 at 7:00 p.m. in the Long Hill Room, Town Hall, 5866 Main Street, Trumbull, Connecticut in accordance with the provisions of an Ordinance of the Town entitled, "Sewer Ordinance of the Town of Trumbull" adopted by the Town Council of the Town of Trumbull effective July 1, 1969 and Section 7-249 and Section 7-249A of the Connecticut General Statutes, Revision of 1958 as amended. Notice is hereby given that a Sewer Assessment is proposed to be levied by the Town of Trumbull on the following properties:

<u>NAME</u>	<u>LOCATION</u>	<u>NUMBER</u>	<u>MAP</u>	<u>PARCEL</u>
Giacobbe Construction LLC (or current owner)	Meadow Wood Road	11	G/06	00051

MEETING AGENDA

1. Minutes to previous meeting
2. Old Business:
 - None
3. New Business:
 - 186 Church Hill Road: sub-division sewer connections
 - Owens, Schine & Nicola: monthly invoices
 - Ury & Moskow: monthly invoices
 - Update of Bridgeport approved fiscal Year 2016 rate
4. Executive Session:
 - It is anticipated that the WPCA will vote to go into executive session to discuss preliminary drafts and/or notes as set forth by C.G.S. 1-210 (b)(1) and/or discuss with the Town Attorney strategy and negotiations with respect to pending litigation as defined by 1-200(6) and/or to discuss attorney client-privileged information as set forth by 1-210 relating to the following:
 - Mark IV – Contract 3 and Contract 4
 - Regionalization and/or re-negotiation of Bridgeport sewer treatment contract
5. Any other business that may come before the Authority.

WATER POLLUTION CONTROL AUTHORITY
Town of Trumbull
CONNECTICUT

TOWN HALL
(203) 452-5048



5866 MAIN STREET
TRUMBULL, CT 06611

MINUTES
Water Pollution Control Authority Meeting
May 27, 2015

The Trumbull Water Pollution Control Authority held their monthly meeting, on Wednesday, May 27, 2015 at 7:00 p.m. in the Long Hill Room, Town Hall, 5866 Main Street, Trumbull, Connecticut.

Members Present:

Jeffrey Wright, Chairman
Fred Palmieri, Vice Chairman
Laura Pulie
Timothy Hampford
John Gray
Paul Whetstone, Alternate
Richard Boggs, Alternate

Members Absent:

None

Also Present:

Frank M. Smeriglio, PE, Town Engineer
Dennis Kokenos, Esq. Town Attorney (arrived 7:20)
Robert Nicola, Esq. Town Attorney
Christine Kurtz, Wright-Pierce

The Chairman called the May 27, 2015 meeting of the WPCA to order at 7:04 p.m.

1. Minutes to previous meetings.

There being no questions, comments or modifications to the April 22, 2015 Minutes, MOTION made Palmieri seconded Pulie to accept the April 22, 2015 Minutes as presented. No discussion. MOTION CARRIED UNANIMOUSLY.

2. Old Business.

72 Old Dike Road – Assessment. Frank Smeriglio said this was an assessment hearing we had about eight months ago. Initially on Old Dike Road there were two lots when the sewer project was built. There is an assessment on house number 70 and there was a vacant lot adjacent to 70 Old Dike Road. A lateral was placed on the empty lot, but there was never an assessment there when the construction was completed. A few years ago the two properties were subdivided and it created a third property, so two lots became three. We went through the assessment hearing for 72 Old Dike Road, the owner had some questions, we tabled the vote on the assessment and now we have to vote on approving the assessment so we can start the billing process July 1st. It is \$14,534.42 plus the \$500.00 for a total of \$14,934.42. There are three different payback options: 1st - paying full amount in 30 days; 2nd – 18 annual payments of \$1,228.20 at the interest rate of 4.50%; or 3rd – four equal quarterly installments of \$307.05 per year at the interest rate of 4.50% starting July 1, 2015. Frank explained now what happens is the commission votes on it, we send him a letter saying that the assessment was voted on, we approved it and we are going to continue with the assessment process and you have 21 days to appeal if you feel it necessary to appeal. Frank recommended the commission approve it.

MOTION made Wright seconded Palmieri to approve 72 Old Dike Road sewer assessment as delineated for the amount of \$14,934.24. No discussion. MOTION CARRIED UNANIMOUSLY.

3. New Business.

Owens, Schine & Nicola Monthly Invoices: The commissioners reviewed the invoices.

Invoice 14105 Mark IV – Contract 4 Litigation - \$450.00. There being no comments or questions, MOTION made Palmieri seconded Pulie to accept Owens, Schine & Nicola invoice 14105 as presented and make payment in the amount \$450.00. No discussion. MOTION CARRIED UNANIMOUSLY.

Invoice 14106 Bridgeport Regionalization Sewer Agreement - \$2,420.00. There being no comments or questions,

MOTION made Palmieri seconded Hampford to accept Owens, Schine & Nicola invoice 14106 as presented and make payment in the amount of \$2,420.00. No discussion. MOTION CARRIED UNANIMOUSLY.

Ury & Moskow Invoice: The commissioners reviewed the invoice.

Invoice 63870 – Contract Dispute-Town of Trumbull v. Mark IV Construction, et al - \$4,878.16. The commission wants it reflected on future invoices that Ury & Moskow legal services are related to Contract 3. Attorney Nicola noted the invoice is for a deposition, but he did not have the particulars. The commission tabled this invoice until Attorney Kokenos arrives.

4. Executive Session.

MOTION made Wright seconded Palmieri to move into executive session to discuss preliminary drafts and/or notes as set forth by C.G.S. 1-210(b)(1) and/or discuss with the Town Attorney strategy and negotiations with respect to pending litigation as defined by 1-200(6) and/or to discuss attorney client-privileged information as set forth by 1-210 relating to the following:

- Mark IV – Contract 3 and Contract 4
- Regionalization and/or re-negotiation of Bridgeport Sewer Treatment Contract

No discussion. MOTION CARRIED UNANIMOUSLY.

Remaining in the executive session will be Jeffrey Wright, John Gray, Richard Boggs, Attorney Robert Nicola, Frank Smeriglio, Christine Kurtz, Tim Hampford, Paul Whetstone, Fred Palmieri, Laura Pulie. Attorney Kokenos when he arrives.

At 7:13 p.m. the tape recorder was turned off, the clerk left the room and the Commission went into executive session.

At 8:55 p.m. the clerk was called back into the room and the recorder was turned on.

Attorney Kokenos joined executive session at 7:20.

MOTION made Wright seconded Palmieri to close executive session at 8:56 p.m. and state that no vote was taken. No discussion. MOTION CARRIED UNANIMOUSLY.

MOTION made Wright seconded Palmieri to reopen the regular meeting. No discussion. MOTION CARRIED UNANIMOUSLY.

3. New Business.

Ury & Moskow Invoice:

Invoice 63870 – Contract Dispute-Town of Trumbull v. Mark IV Construction, et al - \$4,878.16. The chairman asked Attorney Kokenos to review the invoice. He could not immediately recall the specifics of the deposition. Brief discussion followed. He suggested the commission approve it and he can confer with Attorney Moskow as

to who exactly Mr. Skerpan was and report back. Commissioner Hampford recommended to approve the invoice subject to verification through Frank Smeriglio that it is related to Contract 3. Attorney Kokenos said he believes Mr. Skerpan was related to the individuals that did the audit. He explained there was an audit done on Contract 3 and the audit was done by a forensic accountant and also an engineer and he believes Skerpen was the engineer.

MOTION made Hampford seconded Palmieri to approve invoice number 63870 from Ury & Moskow pending confirmation and verification by Frank Smeriglio that it was in relation to the Contract 3 audit. Discussion. MOTION CARRIED UNANIMOUSLY.

There being no other business before the Authority,
MOTION made Palmieri seconded Hampford to adjourn the meeting of May 27, 2015 at 8:59 p.m. No discussion. MOTION CARRIED UNANIMOUSLY.

Submitted by,

Joyce Augustinsky
Clerk of the Commission

LAW OFFICES
QUATRELLA & RIZIO, LLC
ONE POST ROAD
POST OFFICE BOX 320019
FAIRFIELD, CONNECTICUT 06825
(203) 255-9928

FAX (203) 255-6618
WEBSITE: www.qrlaw.com

ROBERT G. GOLGER
MICHAEL C. JANKOVSKY
DAVID K. KURATA
KATHERINE M. MACOL

* ALSO ADMITTED PA AND NJ BARS
* ALSO ADMITTED NY BAR

WILLIAM M. PETROCCIO+
DAVID L. QUATRELLA*
RAYMOND RIZIO+
CHRISTOPHER B. RUSSO

MICHAEL T. DOLAN-OF COUNSEL

June 15th, 2015

Via E-mail

Frank Smeriglio
Town Engineer
5866 Main Street
Trumbull CT, 06611

Re: New sewer connection at 186 Church Hill Road and Poplar Street

Dear Frank:

My client, Dereck Pettway, received subdivision approval from the Trumbull Planning & Zoning Commission at their March 18, 2015 hearing. The approval is attached to this letter. As part of the approval, an application to the WPCA must be submitted for the new sewer connections. We respectfully request to be added to the June 24th, 2015 WPCA Meeting for approval of these new connections. Thank you for your consideration.

Sincerely,



Christopher Russo

Frank Smeriglio, PE
Town Engineer

TOWN OF TRUMBULL
CONNECTICUT



Town Hall
5866 Main Street
Trumbull, Connecticut 06611
Phone: 203.452.5050
Fax: 203.452.5061

March 16, 2015

Jamie Bratt, Director of Planning and Zoning
5866 Main Street
Trumbull, CT 06611

RE: 186 Church Hill Road

Dear Ms. Bratt,

Based on the following documents submitted to the Engineering Department for review on February 25, 2015 as part of an application by Dereck Petway, for Planning and Zoning site plan approval:

1. "Proposed Site Plan – 186 Church Hill Road, Trumbull, Connecticut" prepared for Dereck Petway by: Land Surveying Services, LLC, and dated Dec. 2, 2014 having the latest revision date of 2-23-2015
2. "Storm management System SCS Method 25 Year Frequency; Two Lot Subdivision; 186 Church Hill Road; Trumbull, Connecticut." Prepared by H. K. Associates, Professional Engineer, dated January 22, 2014 with a revised date of Feb. 19, 2015

Based on the review at this time, these plans are not approved by the Engineering Department. After reviewing the additional submitted material received February 25, 2015, there still remain unanswered comments and concerns along with additional concerns. Below in *italic type* are our comments and concerns from our letter dated February 18, 2015 to you, in bold type are our current comments, based on the above submitted documents. The following items must be addressed for our approval:

1. *(2-18-15) The plan shows extensive amount of fill to be placed on the lot. Engineer to depict the amount and type of fill to be placed at on the plans.*

A note depicting the amount and type of fill necessary for the project has been added to the plan

2. *(2-18-15)As required by the "Administrative Policy for Stormwater Management and Design Standards," page 2 line 9, a water runoff basin map of the property must be submitted.*

Runoff basin information has been added to the plan

186 Church Hill Road

3. (2-18-15) *No data for a 2 year storm event has been submitted. Engineer to provide hydrograph data for a 2 year event, for both lots.*

Hydrographs for the 2 year storm events have been added.

4. (2-18-15) *As required by the "Administrative Policy for Stormwater Management and Design Standards," page 2 line 2, if the storm runoff drains directly onto neighboring properties, storm drainage system must be sized to store and infiltrate the minimum of either increase in volume generated in a 25 year storm or the volume generated by a 2 year storm. Engineer to provide backup data to show that this volume has been provided.*

The report shows that the compliance with this requirement.

5. (2-18-15) *Footing drains must utilize galleries, depict separate galleries for the footing drains and submit backup calculations. Engineer may evaluate using a sump pump that discharges to a catch basin in the roadway.*

Sump pump discharging into existing catch basins have been proposed. Encroachment permit from State DOT will be required.

6. (2-18-15) *All trench drains to have an H-20 rating and to have a 24" sump with a hooded outlet.*

A note has been added to the plan stating the requirement for H-20 trench drains and 24" sumps with hood outlets.

7. (2-18-15) *Engineer to depict all inflow and outflow pipe inverts, Cultec inverts and top of frame elevations.*

Pipe sizes need to be depicted on plan.

8. (2-18-15) *Engineer to provide a utility trench repair detail.*

Repair trench detail has been added.

9. (2-18-15) *Curbing must be installed at the street line of the abandoned driveway.*

Curbing has been depicted on the plan at the location of the abandon driveway.

10. (2-18-15) *Engineer to depict the number of Cultec units to be installed.*

The number of units has been depicted on the plan, but the overall length of the units does not correspond to the number of units. Correct the discrepancy between the number of units and the overall length.

11. (2-18-15) *The Cultec units on Lot B appear to be below the mottling layer. The Administrative Policy for Stormwater Management and Design Standards, page 4 line 3 requires; minimum separation of 12" must be achieved between the bottom of infiltration gallery used for storage and any restrictive layer (i.e. soil mottling, ledge or any other restrictive layer) as determined by test pits. Engineer to provide a minimum of 12" separation from mottling.*

The units have been raised to provide the required separation.

12. (2-18-15) Engineer must provide back-up calculation for the Time of Concentration (TC) values.

No back-up data has been provided.

13. (2-18-15) Due to the large amount of fill being placed and site condition it is necessary to provide a temporary settling basin. Engineer to depict a temporary settling basin on the plan.

A temporary settling basin has been depicted on the plan.

14. (2-18-15) An application for the new connections must be made to the WPCA. A connection fee must be paid prior to Building Permit sign off.

An application to the WPCA has not been submitted.

15. (2-18-15) Provide sanitary sewer connection details and utility trench repair details.

A connection detail has been added to the plan.

16. (2-18-15) All work done in the Town Right of Way must be done by a Town licensed contractor and a street opening permit must be applied for?

No response submitted.

17. (2-18-15) Provide a soil erosion and sediment control bond estimate acceptable to the Town Engineer. The Bond must be posted prior to any site disturbance.

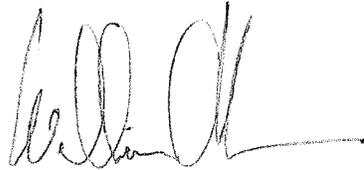
A bond estimate has not been submitted.

Based on the amount of items required to be modified as listed above, these comments shall be considered preliminary. There may also be further comments based on the response of the above mentioned items.

Sincerely,



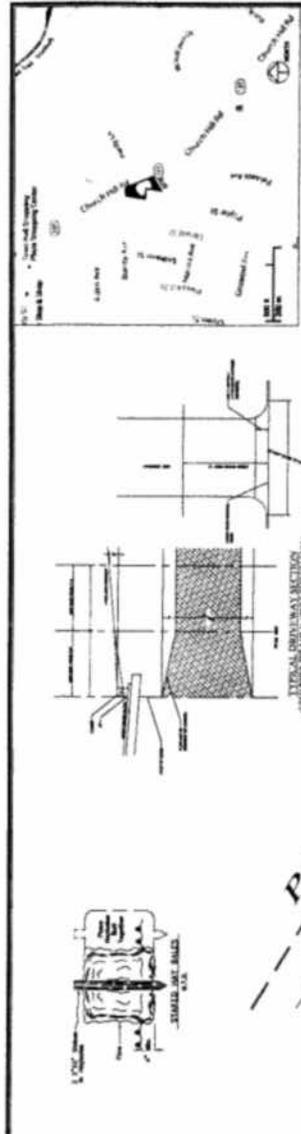
Frank M. Smeriglio, PE
Town Engineer



William Maurer, PE, LS
Civil Engineer

Cc: Hem Khona, P.E.

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RESIDENTIAL OR COMMERCIAL SEWER CONNECTION APPLICATION

To the TOWN OF TRUMBULL: The undersigned, being the Owner or Agent for property located: 186 CHURCHILL does hereby request a permit to install and connect a building sewer to serve the Residence or Commercial Building at said location.

1. The following indicated fixtures will be connected to the proposed building sewer:

<u>Number</u>	<u>Fixture</u>	<u>Number</u>	<u>Fixture</u>	<u>Number</u>	<u>Fixture</u>
<u>1</u>	Kitchen sinks	<u>1</u>	Bath Tubs	<u> </u>	Lavatories
<u> </u>	Laundry Tubs	<u> </u>	Showers	<u> </u>	Water Closets
<u> </u>	Garbage Disp.	<u> </u>	Urinals	<u> </u>	Other

2. Contractor's Name and Address R. SALVAGGIO
BIRMINGHAM ST

3. Conn. Lic. No. Type of Lic: Trumbull Reg. No. 20

4. Plans and specifications for the proposed building sewer are attached hereunto as Exhibit "A", 8"x11" Plot Plan of Utilities, locations and property line.

5. Interior Plumbing alterations required: Yes No ✓

IN CONSIDERATION OF THE GRANTING OF THIS PERMIT, the undersigned agrees:

1. To accept and abide by all the provisions of the SEWER ORDINANCE and REGULATIONS of the TOWN OF TRUMBULL, and the CONN. STATE HEALTH CODE, and all other pertinent ordinances or regulations that may be adopted in the future.
2. To notify the Sewer Commission when the building sewer is ready for inspection and connection to the public sewer, but before any portion of the work is covered.
3. To maintain the building sewer at no expense to the Town.

Signed: HEUSER
(Applicant)
186 CHURCHILL
(Address of Applicant)

Date:

\$ 5.00 Permit Fee Paid
\$ 10.00 Inspection Fee Paid

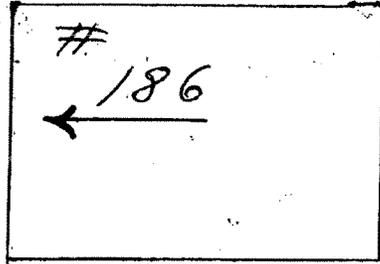
Certified by:
Signed: Robert Farnell
(Sewer Commission or its Agent)

Application approved and
Permit Issued: 10-10-73
(Date)

CONTRACTOR ASSUMES RESPONSIBILITY
FOR CHECKING ELEVATIONS OF HOUSE
CONNECTION AND HOUSE SERVICE LINE
TO ASSURE PROPER GRADE BEFORE
ACTUAL EXCAVATION.

Permit # 1316

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PERMIT to make connection to the Public Sewer NO: 1310

INSPECTOR'S CHECK LIST

PERMIT ISSUED TO

- 1. Layout Inspection 10-10-73
- 2. Excavation & Grade 10-11-73
- 3. Bedding, Pipe Laying Alignment 10-11-73
- 4. Final Grade, Clean-up 10-11-73
- 5. Final Disposition of Septic tank, if any, as per Sec. IV.

Address: 186 Church Hill Rd
 Owner: Mr. Hense
 Contractor: R. Schragg
 Trumbull Reg. No. 20
 Issued by: P. Farrell Date: 10-10-73
 Inspector: Bar

Date Completed: 10-11-73

REMARKS: Tank pumped & demolished 10-11-73

started 10-10-73

THIS PERMIT MUST BE DISPLAYED DURING CONSTRUCTION

DATE 3-12-01

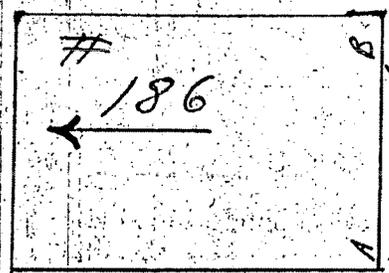
Permit # 1316

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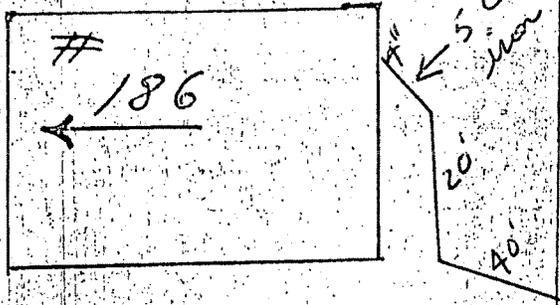
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Permit 136
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I certify that this house connection
complies with all regulations of the
of Trumbull Sewer Commission and
the dimensions shown are correct.

K. Shapiro

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Owens, Schine & Nicola, P.C.

799 Silver Lane
P.O. Box 753
Trumbull, CT 06611

Ph:203-375-0600

Fax:203-375-5003

Town of Trumbull
5866 Main Street
Trumbull, CT 06611

June 21, 2015

Attention: Maria Pires

File #: 14010-04015

Inv #: 14164

RE: BRIDGEPORT REGIONALIZATION SEWER AGREEMENT

DATE	DESCRIPTION	HOURS	LAWYER
May-05-15	Drafting memorandum regarding FOI appeal.	4.50	DJK
May-11-15	Mediation meeting with Chris Hug, Glen Stantori, Russel Liskov, DK & RJN with Judge Bellis re Trumbull WPCA; Meeting in office with Jeff Wright, Frank Smeriglio, DK and RJN re WPCA	3.50	RN
	Attendance at Court/Status Conference	2.50	DJK
	Meeting with clients	1.50	DJK
May-12-15	Review case law/Preparation for joint meetings of BOF/WPCA/TC	3.00	DJK
May-14-15	Prepare objection and affidavit for Bridgeport Regionalization hearing	3.50	DJK
May-19-15	Preparation for Bridgeport Sewer Rate Hearing; revise objections; revise Affidavit.	2.50	DJK
	Attendance of Sewer Use Rate Hearing.	1.50	DJK
	Review e-mails and affidavits regarding administrative rate appeal; consolidate various revision in a single affidavit and review final document; telephone call and e-mail exchange with Wright and F. Smeriglio regarding same; conference with DJK regarding same.	1.40	DLC

May-21-15	Telephone call with client regarding Darien; memo to file regarding Darien/Stamford Agreement.	0.50	DJK
May-27-15	Review multiple cases regarding rate differential; review memo and file in preparation of WPCA meeting; conference with DJK regarding case decision and application to Trumbull rate issues.	4.10	RN
Jun-01-15	Prepare Summary sheet for Mediation; conference with Dennis Kokenos; Court Mediation with Judge Bellso, Attorney Christopher Hug, Attorney Glen Santoro, Attorney Russell Laskow; Dennis Kekenos and DJN; memo to file.	2.50	RN
	Attendance at Mediation.	2.00	DJK
Jun-05-15	Review and modify file note	0.40	RN
Jun-09-15	Prepare for Mediation Hearing before Judge Bellis; conference with DK; attend Mediation Hearing at Bridgeport Superior Court; letter to Jeff Wright.	4.60	RN
	Attendance of State conference.	1.50	DJK
Jun-11-15	Conference with DC; review amended letter to WPCA.	1.00	RN
	Revise/draft; call to Commissioner regarding updates regarding Mediation sessions.	0.70	DJK
	Call to client regarding Rate Appeal Hearing Objection.	0.20	DJK
	Totals	41.40	\$9,085.00
	Total Fee & Disbursements		\$9,085.00
	Previous Balance		2,420.00
	Previous Payments		2,420.00
	Balance Now Due		\$9,085.00

**TIMEKEEPER
SUMMARY**

RN	16.10	\$4,025.00
DJK	23.90	\$4,780.00

DLC	1.40	\$280.00
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Owens, Schine & Nicola, P.C.

799 Silver Lane
P.O. Box 753
Trumbull, CT 06611

Ph:203-375-0600

Fax:203-375-5003

Town of Trumbull
5866 Main Street
Trumbull, CT 06611

June 21, 2015

Attention: Maria Pires

File #: 14010-04035

Inv #: 14165

RE: Mark IV - Contract 4 Litigation

DATE	DESCRIPTION	HOURS	LAWYER
May-18-15	Call from/to client; telephone call with Alfred Mascia; call from/to Attorney Moskow; review past repairs list; chimney repair list; contract 4 chimney change order agreement; call to client.	4.50	DJK
May-19-15	Meeting with client.	2.50	DJK
May-21-15	Telephone call with Attorney Moskow.	0.30	DJK
Jun-08-15	Conference call with Frank Smeriglio, Fred Maiscia	0.80	DJK
Jun-11-15	Telephone call with Attorney Moskow; call to client regarding potential resolution.	0.80	DJK
	Totals	8.90	\$1,780.00
	Total Fee & Disbursements		\$1,780.00
	Previous Balance		450.00
	Previous Payments		450.00
	Balance Now Due		\$1,780.00

**TIMEKEEPER
SUMMARY**

DJK	8.90	\$1,780.00
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