

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
Wednesday, February 22, 2012

Members Present:

Jeanine Maietta Lynch, Chairman
Ennio DeVita
Karen Egri
Timothy Hampford

Members Absent:

Laura Pulie

Also Present:

Joseph S Solemene, Assistant WPCA Administrator
John Marsilio, Public Works Director (left 10:05)
Dennis Kokenos, Esq., Town Attorney
Mary Moran, Tax Collector
Roberta Rubenstein, Assistant Tax Collector
Fred Mascia, Tighe & Bond, Project Manager

PUBLIC HEARING
FEBRUARY 22, 2012
SEWER USER RATE FEE BILLING POLICY CHANGE

Pursuant to section 7-255 of the Connecticut General Statutes, the Trumbull Water Pollution Control Authority hereby gives notice of a Public Hearing, on Wednesday, February 22, 2012 at 7:00 p.m. in the Council Chambers, Town Hall, 5866 Main Street, Trumbull, Connecticut. Changes to Sewer Use charges from averaging to actual consumption will be proposed.

Dated this 8th day of February 2012
Jeanine Maietta Lynch, Chairman
Trumbull Water Pollution Control Authority

Public Hearing.

Jeanine Maietta Lynch, Chairman read the public hearing notice (attached).

MOTION made (Lynch) 2nd (Egri) to open the WPCA's Public Hearing scheduled for February 22, 2012, 7:00 p.m. Council Chambers, sewer use charges. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Chairman Lynch called the public hearing to order at 7:05 p.m. and asked that anyone wishing to speak sign in with their name and address.

Bryce Bollert, 32 Fern Circle.

He asked what is the minimum charge for a sewer use bill?

Joe Solemene said everyone that is provided with a sewer lateral on their property pays the maintenance charge of \$9.00 a month, \$27.00 a quarter. He explained the sewer use bill is divided into two parts the maintenance

portion, which is a fixed rate for everyone, and the consumption which is based on water usage through the meter and it has been this way since 1999.

He read a prepared statement which included:

- He understands there is no way to measure what goes down the sewers, but it is unfair to ask a small percentage of the population to bear the burden of installing and paying for a second water meter;
- We all share the expense for all services offered by our community, but most of us do not use all the services and he listed the services he does not use;
- He has no other options but to use the sewers;
- Current system is flawed but is equitable to all in the community;
- He asked to continue the negotiations with Bridgeport and discontinue the costly idea of a second water meter and continue with the fall/winter sewer fees.

Cindy Katske, 129 Meadow View Drive.

She disagrees with the proposed sewer use fee change because it is unfair and overly burdensome to homeowners with irrigation systems. Her questions and comments included:

- Why are residents going to be billed for water that never goes into the sewers because that is what the proposed plan will do?
- We are moving backwards towards an unfair method of payment and it is on the backs of residents who have irrigation systems, fill pools, water gardens and wash cars.
- The current system identifies and charges the right group of sewer users and the answer is to determine who in the group should be charged more or charge everyone in the group their pro ratio share.
- The fee system isn't fair and the current billing structure is partially inaccurate, but the proposed system is one hundred percent inaccurate.
- Irrigation system users are told in order not to pay an unfair charge for water that doesn't enter the sewers they can choose to pay an unfair charge to install a second water meter and then pay an annual fee to Aquarion on top of that.
- The proposal is unfair, its costly, its draconian and it's inefficient.
- Will Bridgeport accept the exclusion of water that flows to the second meter?
- Wants a legal opinion that this methodology complies with the terms of the contract.
- What will homeowners do if this methodology is not in compliance with the contract - pay to uninstall the second meters?
- It is upsetting that an appointed committee who's not elected and really is not accountable in any meaningful way to the sewer users can enact this kind of system.
- This is inviting a lawsuit which could be brought by the many unhappy residents or it could result in lots of brown lawns.
- Please go back to the drawing board and find a better way.

Jonathan Greene, 23 Topaz Lane.

Wants an answer to the previous question regarding the legal opinion. He said he read the contract and it isn't clear that the interpretation the Commission is taking is in compliance with the Contract. He questioned the interpretation of the word "properties" used in the following way in the Contract "pay for water delivered to the properties within the WPCA's service area." Chairman Lynch said the issues have been looked into.

Attorney Kokenos said the Commission looked into the issues several months ago and the Town Attorneys looked into the Contract. His summary of the Contract and issues included:

- Section 5, pages 7 to 8 of the Contract - the Town of Trumbull only pays for what goes into the system.

- It is very clear in the Contract that we pay for what goes into the system and this was never really an issue the Commission had.
- The issue was how can we unequivocally tell the City of Bridgeport what goes into the system and what does not.
- Irrigation does not go into the system, but there is no way to quantify that to the City of Bridgeport and to show them that it is not being used in the system and therefore it is not to be paid for.
- The Contract item is there, but the system to show them what was going into the system and what was not was not there.

He reiterated that the Town only pays for what goes into the system and Section 5, pages 7 to 8 of the Contract specifically says that. The equalized rate is based on the metered flow to the Trumbull Sewer System/WPCA Sewer System according to the Contract. The issue never was, are we supposed to pay for something that goes into the ground, the issue was how do you quantify it. By having a meter you can actually quantify what goes into the ground and what goes into the system which then in turn saves money for the rate payers.

Mr. Greene commented on the Contract's equalized rate and formula calculations.

- Attorney Kokenos read directly from the Contract, Page 7, Section 5 the section that governs what we pay the City of Bridgeport.
- There is no meter on the discharge into Bridgeport so measuring metered water flow is the only way to get what we put into the system and by having a second meter we are trying to take that out of the equation.
- He also said the Town usually has to make up \$200,000 to \$500,000 a year that wasn't collected in user fees.
- This proposal is so we have a more accurate number to give to Bridgeport and negotiate with.
- Commission Hampford pointed out the only measure we have of the flow is the water usage not our sewer usage.

Mr. Greene questioned if anyone spoke to Bridgeport regarding their interpretation of the Contract.

John Marsilio, Public Works Director said he negotiated the Contract on behalf of the City of Bridgeport when he was the Director of public facilities in Bridgeport. He said he sat on the WPCA Board in Bridgeport for ten years so he knows how they handled situations like this where there was a metered flow that did not enter the sewer system and adjustments were made. He said it is not the intent of the Contract to charge people for what they're not putting into the sewer system.

Mr. Greene also commented on:

- Bridgeport's rate fee schedule and their charge for a non-discharge adjustment;
- Timing of making changes now;
- Payments he believes Aquarion will receive from additional meters;
- Costs to residents over the next twenty years;
- Changes to and additions that should be made to the new Contract should say;
- Solution that could have significant costs that may only have a short term benefit;
- Snow bird issue;
- Current system is a proper way to bill the majority of the people;
- User rates stated in the Contract;

Chairman Lynch explained we are trying to give the public a benefit and we're not forcing anyone to put in a meter. We are giving a solution to the problem and we're trying to fix the problem in the long run but there are no guarantees to that fix with Bridgeport.

John Marsilio's comments included:

- Trumbull sewer users with, user rates based on their water bills, are paying a half a million dollars a year more than they should be.
- Because we are paying at the meter Bridgeport is getting a half a million dollars a year that they shouldn't get and we shouldn't be paying.
- Under the present format we are paying for metered water some of which is being diverted to irrigation systems, swimming pools and washing cars.
- The Commission decided this summer winter business is unfair.

It's unfair because users who are in Florida all winter long and have no usage come back in April turn on irrigation systems, fill pools, wash cars and are only paying for that non-usage for those months during the winter.

Commissioner Hampford commented on the way Bridgeport charges users. Commissioner DeVita said the Commission wants to be fair to everybody.

Mr. Greene's summary included:

- If implemented it will cost Trumbull residents roughly \$3,000,000 over the next twenty years;
- The big winner is Aquarion;
- There is a contractual problem and it has cost the citizens;
- At a minimum this will only save 65% of what the Commission is trying to save;
- The other 35% will come out of the hands of the citizens of Trumbull in a payment to the water company.

Attorney Kokenos wanted to clear up and address the following issue relating to the Contract that's expiring in July.

- This change is not only going to affect the current Contract that we have it is also going to affect any future contractual negotiations we have with the City of Bridgeport.
- Because if we were to make this a bullet point in a future Contract or a Region, whatever it may be, to say we're not going to pay for what goes into the ground, that's fine and you can have it in the Contract, but unless you have a way to actually quantify it it's not going to have an effect.
- So, we can have a contract change, but if Bridgeport said today absolutely you're a hundred percent right your interpretation is correct and I'll even fix the language in the contract. What's the amount? We have no way of showing them what the amount is.

So, that's really the big issue and that issue is going to go beyond July. It's going to be an issue for a future contract and it's going to be an issue for Regionalization. Because as far as Bridgeport and any other Region that may want to join is concerned, they're going to look at the stress on the system and they're going to look to see how much Trumbull uses the system. Within that, built in right now is irrigation when it should not be. You're going to be penalized because whoever is looking at these numbers for a new Contract or new Region is going to assume it's all in when really it's not. It's not all in because that water goes into the ground. So, this does have an effect longer than just the July date and that is the point.

Mr. Greene commented on Attorney Kokenos' clarification and billing scenarios.

Chairman Lynch said Aquarion has been extremely cooperative and helpful for coming up with a solution to take the water that's not put into the sewer system out of the sewer system. Again she said users are not forced to do this and this is not something the Commission is forcing people to do. This is a solution that we're trying to accommodate the public so they have options. She also wanted to clarify what was said at the very end of the last meeting regarding meters being only available for irrigation systems. Since that meeting we did go back to Aquarion and asked them to rethink that and the Town and Aquarion have come up with a solution. They have

now agreed all users should be able to put in a second meter if they so choose and if they feel it is economical. Users will have to do a cost analysis within your water usage to see if there is a cost benefit to putting it in. But, they have come up with a solution and that is a huge plus and they have been extremely helpful. It is noted for the record that Aquarion has worked with us to try to find solutions.

Milton McCauley, 22 Hillsboro Road.

He is not tied into the sewer but sewers are in front of his house. He paid his assessment in full and he gets a bill for maintenance.

He wanted to know:

- If this is a given?
- Is it already settled that the price is going up?
- Is Aquarion going to charge him more?

Chairman Lynch said this will not affect him until he ties in and he is not the only one who pays the maintenance fee.

Norman Roth, 7 Riverbend Road.

Noticed billings are dated February, May, July and November each year and the November actuals are always the highest.

- What months does the November actuals cover?

Roberta Rubenstein said the billing is based on all the readings in Town. Some are read earlier in the month and some at the end of the month so it can be anywhere from the beginning of September to the end of December.

- Why are the actuals always the highest for the November period?

Joe Solemene said he spoke with Computil and if look at July and it says it is not used to bill that July read encompassed April, May and June and then the readings come out in July and then November the readings are July, August, September. They are three months prior to the actual read and that's the reason why November is the highest.

- Suggested the people with irrigation systems get five years of data from Aquarion to use in making a decision.
- Suggested information to be put on the website:
 - Average quarterly consumption for that five year period for the high users;
 - The average for the whole 10,000 Town users.

Commissioner Lynch said tomorrow Joe Solemene will put on the website a revised six month cost estimate because it's done fiscal year to fiscal year and there are slight changes and he wants to have the correct spreadsheet up. Joe explained the original spreadsheet was computed according to the calendar year and we are billed on the fiscal year. Roberta and Joe have been working with residents for the last ten years and they are happy to supply information when it is requested. Mary Moran, Trumbull Tax Collector suggested each individual call the water company and ask for that information because it would be very difficult for the tax office to spend that much time with each user. Roberta said she contacted Computil and for the quarter users just got billed for approximately 6,300 users are paying less than the \$128.63 and another 2,600 users are paying more than the \$128.63. Chairman Lynch said that shows flat rate does not work and that was the point of what Roberta was saying and that the Commission previously looked into it and it doesn't work.

Carmela Daquila, 28 Valley View Road.

She said she only pays \$53.00 per quarter. She said wasting water is a bigger sin than a brown lawn and in eleven years she never watered her lawn. Said highlighted her sewer usage and billing history. She said you should pay for what you use and she would rather pay that way. There are advantages of using a system where what you use is what you pay for and if you want a beautiful lawn you have to pay for it.

Bryce Bollert, 32 Fern Circle.

- He questioned Bridgeport's financial status, in reference to the sewers where do they stand, and are they always near broke?

The Commission said we are not privy to what Bridgeport's financial situation is and that has nothing to do with what we're doing now.

- Mr. Bollert said it does because if we take away \$400,000 or \$500,000 they are going to raise the rates. Commissioner DeVita said we are trying to make a system that is equal to everybody and you will pay for what you use. He also said conversations about Aquarion and everybody else has nothing to do with what we are trying to do.
- Mr. Bollert said if the Commission reduces the amount of money after users have put in meters, paid for meters, paid for a plumber to put them in and reduce the money that is going to Bridgeport in the next contract then that \$400,000 or \$500,000 will have to be recuperated and everybody here will pay that money.
- It is a loss to everyone because they need that money to operate the system. So there is no question to him that we are going to pay double.

John Marsilio said we're paying it now so if they compensate by raising the rates, if they ever did, you'll be paying it anyway. Another point is Bridgeport does not have the same arrangement that the Trumbull residents have. They don't have irrigation systems and they are paying for what they use. There are 40,000 dwellings in Bridgeport and maybe 600 of them have irrigation systems. It is not a valid argument to say because we're paying for what we're not using we should continue to pay for what we're not putting into the sewer system. There probably isn't a judge anywhere who would permit them to penalize us and enforce us to pay for consumption that is not going into the sewers.

- Mr. Bollert said he called every municipality in Fairfield County to get user billing information.
- He summarized his situation and his feeling of being forced into this or paying for what is not going down the drain.
- Additional comments and discussion included communities supporting each other, not using all services offered, eighty percent of the rate payers subsidizing summer water usage and this not being fair.

Chairman Lynch explained we are not saying you have to pay for a meter and you can choose to do nothing and you pay for what you use.

There being no further comments from the public,

MOTION made (Lynch) 2nd (Egri) to close the Public Hearing scheduled for February 22, 2012 to discuss sewer use charges at 8:05 p.m. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

The public hearing was adjourned at 8:05 p.m.

The Chairman called to order the regularly scheduled meeting of the Trumbull WPCA for February 22, 2012 in the Council Chambers, Trumbull Town Hall at 8:07 p.m.

MOTION made (Lynch) 2nd (Egri) to move up Agenda item number 8 New Business, 70 Old Dike Road, Joe and Karen Cullina requesting permission to tie into sewer system. No Discussion. MOTION CARRIED UNANIMOUSLY.

New Business:

70 Old Dike Road, Joe and Karen Cullina requesting permission to tie into sewer system.

Jim Fracker, 78 Old Dike was present on behalf of his neighbors Joe and Karen Cullina who are building a two and a half bath colonial at 70 Old Dike Road and are requesting permission to tie into the sewer line. He submitted and went over the plan. Joe Solemene said this is an extension from a sewer main line to serve one house on a rear lot and normally we get permission from the authority to allow an extension from an existing

main. They will be responsible for the assessment for the cost of the lot assessed at the same amount the other residents were assessed. This would be an interior lot probably an assessment based on 150 foot frontage. The owners know they will have to pay an assessment, submit plans, hire a registered sewer contractor and pay the connection costs. Mr. Fracker said they will core bore into the existing manhole or saddle the main line. Chairman Lynch recused herself from voting because she is friendly with the Cullinas.

MOTION made (Egri) 2nd (Hampford) to approve permission for 70 Old Dike Road to tie into the sewer system subject to submission of plans to Joe Solemene for approval and an agreement by the homeowners that they will pay the hook up, the assessment and any other fees associated with the sewers. Discussion. THREE IN FAVOR (Egri, Hampford, DeVita) ONE ABSTENSION (Lynch). MOTION CARRIED.

MOTION made (Lynch) 2nd (Egri) to move up Agenda item number 8 New Business, Lot 12, Main Street, Sal DiNardo requesting sewer lateral. . No Discussion. MOTION CARRIED UNANIMOUSLY.

Lot 12, Main Street, Sal DiNardo requesting sewer lateral.

Sal DiNardo was present and said he is building a house on Lot 12, Main Street and is requesting a sewer lateral. There is a lateral on his property but is hooked up to the house next door and when he started the digging he hit the lateral. He is proposing to let them stay there and put in a manhole so they can run it into the manhole on his property. Mr. DiNardo will also connect into the manhole so there will be one lateral going in and they won't have to dig up Main Street. Joe Solemene said this has been done a number of other times where they install a manhole at the section where the two laterals will come together and in the event of a clog they have access to either home. A six inch lateral could accommodate two homes very easily and this would be a solution to a problem that is unique. This main line was installed in 1983 and we would assess the 80 foot minimum assessment for a lateral connection at that time and Mr. DiNardo would have the same conditions as the previous applicant.

MOTION made (Lynch) 2nd (Hampford) to approve the request for Lot 12, Main Street, Sal DiNardo requesting sewer lateral subject to submission of plans to Joe Solemene for approval and Sal DiNardo agreeing to pay the sewer assessment, paying for his own sewer connection with his own licensed and registered contractor and any other fees associated with the sewers. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

9. Executive Session:

MOTION made (Lynch) 2nd (Egri) to move up Agenda item number 9 Executive Session and to close the regularly scheduled meeting of the WPCA for February 22, 2012 at 8:22 p.m. and move into executive session to 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 Litigation – Contract 4 Negotiations, Discussion of application for payment numbers 28 and 29
- Revello, 261 Unity Road
- Esteves v Town of Trumbull
- Baker v Town of Trumbull
- Regionalization and/or Re-Negotiation of Bridgeport Sewer Treatment Contract
- Matthew Mihaly, 116 Jerusalem Hill.

Remaining in the executive session meeting will be Joe Solemene, Fred Mascia, John Marsilio, Attorney Dennis Kokenos, and all the Commission members. No Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

MOTION made (Lynch) 2nd (Egri) to come out of the executive session at 10:05 p.m. and to confirm that no vote was taken and to also confirm that item 9 Executive Session Matthew Mihaly, 116 Jerusalem Hill was not discussed and will be tabled to the regular meeting in March and to reopen the regularly scheduled WPCA meeting. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

1. Minutes to previous meeting:

January 25, 2012. The following corrections and/or additions were requested:

2012-2013 budget:

Page 8 – says Total “\$6,510,126.00” should be “\$6,610,126.00”

Old Business:

Page 3 – 4th line from bottom says “He” should be “She”

MOTION made (Lynch) 2nd (Egri) to approve the January 25, 2012 Minutes of the regular meeting as amended. No Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

2. Tighe & Bond.

Progress report. Fred Mascia said since the last meeting Mark IV has been working on:

- The easement from the pump station to Huntington Road and that work was completed this week
- The pump station is complete and they ran through testing of the equipment yesterday
- Doing drainage work off of Booth Hill Road
- Predrilling part of the cross country easement from Dogwood Pond up to Golden Hill
- TV inspections and a DVD was delivered today
- About 94% complete with the sewer installation

Change Orders. Fred Mascia from Tighe & Bond summarized each of the following change orders.

Change Order R107 dated 7/27/2012 in the amount of \$1,115.37 for suspension of work due to decision of a tree to be removed in a cross country easement. There was no delay and work was not stopped and the equipment was pulled off after the work had gone past the trees. This is not a valid claim and he does not recommend payment.

MOTION made (Egri) 2nd (Hampford) to deny change order R107 in the amount of \$1,115.37. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order R108 dated 2/3/2012 in the amount of \$2,035.00 for additional backhoe to do work on an easement and Fred described the area and conditions. Mark IV only had an area about 12 feet wide to work in and they had to use two machines. Fred agrees with the daily rate but he does not know the total days. Now that the work is complete he will get reconciliation. They worked at least 8 to 10 days in a very tight area. He said this needs to be reviewed and Mark IV will issue a change order.

MOTION made (Hampford) 2nd (Egri) to table change order R108 pending final number of days. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order R109 dated 2/3/2012 in the amount of \$2,820.00 for unit prices that were not in the bid. Went through a wetlands crossing for the pump station and there were no pay items for 8” DIP 15 to 20 feet or 20 to 25 feet. Mark IV submitted a price for those items which is \$15.00 more than plastic pipe and this is the price difference between plastic and PVC after receiving a credit for plastic. Fred recommended payment. MOTION made (Egri) 2nd (Hampford) to approve change order R109 in the amount of \$2,820.00. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change order R110 dated 2/8/2012 in the amount of \$1,442.10 for bracing of UI pole for catch basin installation on Primrose Drive. This is similar to a request from last month's meeting and at for a second location. Fred recommended payment.

MOTION made (Lynch) 2nd (Egri) to approve change order R110 in the amount of \$1,442.10. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change order R111 dated 2/10/2012 - Not done - T&M basis for catch basin installation. Mark IV sent Fred a letter for catch basin work primarily on Booth Hill Road. The Highway Department also looked at the drainage and there is a problem. Three or four catch basins have oversized 30 to 36 inch pipe instead of the normal 12 to 15 inch pipe. The standard catch basin that is in the Contract won't work and they have to build an oversized catch basin and are asking to do the work on a T & M basis. Fred wants Public Works to re-evaluate this again because this is above and beyond what the drainage is in the Contract. Fred wants to discuss this further with Public Works.

MOTION made (Lynch) 2nd (Egri) to table change order R111. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change order R112 dated 2/13/2012 in the amount of \$250.00 for furnish and install bulkhead. While replacing a catch basin on Primrose there was a nonfunctional existing pipe had to be bulkheaded off. The WPCA has paid these charges in the past and he recommended payment.

MOTION made (Hampford) 2nd (Lynch) to approve change order R112 in the amount of \$250.00. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

3. Invoice Approval:

Application #30 - \$199,526.82. Commissioner Egri asked now that we are at 94% and there are items that are in a high percentage range is there anything that stands out at this point? Fred said the big ones that have been constantly increasing each time are items number 2 traffic, number 10 8" DIP, number 19 10" PVC, number 27 12" DIP and number 68 trench excavation rock. There is only about 5,000 feet of sewer left around Dogwood Pond. Fred said a lot of the work this last month was replacing catch basins and 29 were put in.

Application #30 - \$199,526.82, Application #28 - \$378,671.68, Application #29 - \$302,734.35.

Chairman Lynch stated in respect to the invoice approval for number 30 she is also adding invoice number 28 and invoice number 29 which have been tabled for the last several months based upon Town attorneys' advice with respect to certain defects and defaults under the contract. In our discussion with our Town attorneys we have been told that we are very close to a settlement with respect to those defects on Contract 4.

MOTION made (Lynch) 2nd (Hampford) to approve invoice number 30, invoice number 29, and invoice number 28 with the condition that a signed amendment to the Contract has been received from the contractor to our Town attorneys. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

4. Billing statement – Tighe & Bond and Wright-Pierce.

The Commissioners reviewed the spreadsheets and Munis printouts which include the same information. It was suggested using just the Town's Munis system printouts next month.

MOTION made (Lynch) 2nd (Egri) to move up Agenda item number 5 Wright-Pierce update. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

5. Wright-Pierce: Presentation.

MOTION made (Lynch) 2nd (Egri) to table item number 5 Wright-Pierce presentation. No Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

6. Owens, Schine & Nicola, P.C. - litigation invoices:

Esteves v Town of Trumbull - \$1,020.00

Baker v Town of Trumbull - \$1,020.00

Mark IV - Contract 4 Litigation - \$5,952.63

Regionalization/Re-Negotiation of Bridgeport Sewer Contract - \$2,332.50

MOTION made (Egri) 2nd (Hampford) to authorize payment of the Owens, Schine & Nicola's litigation invoices as submitted for Esteves v Town of Trumbull, Baker v Town of Trumbull and Bridgeport Regionalization Sewer

Agreement from the 20 account and payment of Mark IV Contract 4 litigation from the 59 account. No Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

6. Owens, Schine & Nicola, P.C.

Regionalization - JJ Environmental Contract (referenced in the contract as JJE)

MOTION made (Lynch) 2nd (Hampford) to approve the JJ Environmental, LLC Contract with the condition that the scope of work be put into the contract and that scope of work should be as follows:

- That JJE will be available for all contract negotiations with the renewal of the contract with the City of Bridgeport's WPCA; and
- All work of JJE is to be supervised and delegated by the Public Works Director with the approval of the Trumbull WPCA.

No Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

7. Old Business:

Wright-Pierce: Expand scope of services contract.

MOTION made (Lynch) 2nd (Hampford) to table item number 7 Old Business: Wright-Pierce expand scope of services to the next meeting. No Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

7 Old Business:

Update: SSEC. Commissioner Hampford said they are still gathering information and their team together and working on approval of contracts. He assumes SSEC will be disbanded and rejoined with a full membership later this year since more than half of the members were not re-elected or did not run again. It should be up and going again in a few months once they have the contracts in place.

7. Old Business:

Up-date: Audit of the 59 and 20 accounts. Commissioner Egri requested to table this because she needs to have further discussion with the Town Attorney with respect to the scope of the audit.

MOTION made (Egri) 2nd (Hampford) to table item number 7 Old Business: Update audit of the 59 and 20 accounts to next month. No Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

76. Old Business.

Discussion: February 13, 2012 public informational meeting. Chairman Lynch said the public information meeting was very helpful to get the public's input and insight and important questions were raised and many of those questions have been addressed. One of the biggest concerns was the fact only a second meter was being allowed for irrigation systems. Subsequent to the meeting we had further discussions with Aquarion and they have agreed a second meter could be installed for any rate payer regardless of the fact that they do not have an irrigation system. Now if they so choose, depending on their economic situation a second meter can be installed for any rate payer if they think it is a cost benefit for them to do so. She also said this is a positive step for the process and Aquarion has been very receptive and helpful.

Chairman Lynch noted for the record that we did have the Public Hearing today and this Commission has not voted on it tonight and will not be voting on it tonight. We would like to have further discussion and would like to have all board members present, if possible, either at a special meeting or at the next regular meeting to make a vote on this. We have listened to the public in two public information sessions as well as a public hearing and we will take those comments under advisement and have a further discussion with the Commission before we take a vote.

Commissioner DeVita wanted to say again that the installation for the meter is only voluntary and they don't have to do it if they don't want to do it. It is just a suggestion.

Water Pollution Control Authority
February 22, 2012

Chairman Lynch also wanted to clarify for the record one of the residents, she believes Cindy Katske stated that this new proposal was going to change the fact that irrigation users are now going to be charged in the system. Chairman Lynch said she could not remember exactly what Ms. Katskey said. But, for the record, this is not a new proposal of billing. The billing from Bridgeport has stayed the same from ten years ago going forward. This is just a change of our internally billing process to make it a more fair and equitable solution for those rate payers who do not have high water consumption so they are not subsidizing those who do have high water consumption.

There being no other business before the Authority,

OTION made (Lynch) 2nd (Hampford) to adjourn the regularly scheduled meeting for February 22, 2012 at 10:40 p.m. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Submitted by,

Joyce Augustinsky
Clerk of the Commission

WATER POLLUTION CONTROL AUTHORITY
Town of Trumbull
CONNECTICUT

TOWN HALL
(203) 452-5048



5866 MAIN STREET
TRUMBULL, CT 06611

PUBLIC HEARING
FEBRUARY 22, 2012
SEWER USER RATE FEE BILLING POLICY CHANGE

Pursuant to section 7-255 of the Connecticut General Statutes, the Trumbull Water Pollution Control Authority hereby gives notice of a Public Hearing, on Wednesday, February 22, 2012 at 7:00 p.m. in the Council Chambers, Town Hall, 5866 Main Street, Trumbull, Connecticut. Changes to Sewer Use charges from averaging to actual consumption will be proposed.

Dated this 8th day of February 2012

Jeanine Maietta Lynch, Chairman
Trumbull Water Pollution Control Authority