

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, July 25, 2012

Members Present:

Karen Egri, Vice Chairman
Ennio DeVita
Laura Pulie
Timothy Hampford
Kenneth Skov, Alternate (voting)

Members Absent:

Jeanine Maietta Lynch, Chairman

Also Present:

Joseph Solemene, Assistant WPCA Administrator
John Marsilio, Public Works Director
Frank M. Smeriglio, PE, Town Engineer
Dennis Kokenos, Esq., Town Attorney
Fred Mascia, Tighe & Bond, Project Manager
Christine Pierce, Wright-Pierce

The Vice Chairman called to order the regularly scheduled meeting of the Trumbull WPCA for July 25, 2012 at 7:30 p.m. in the Long Hill Room.

The Vice Chairman will entertain a motion to move up the Executive Session Agenda item.

MOTION made DeVita seconded Hampford to move up on the Agenda item number 8 Executive Session. No Discussion. MOTION CARRIED UNANIMOUSLY.

8. Executive Session.

The Vice Chairman will entertain a motion to close the regularly scheduled meeting and move into Execution session.

MOTION made Pulie seconded Hampford to close the regularly scheduled meeting of the WPCA for July 25, 2012 at 7:35 p.m. and to go 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 – Contract 3 and Contract 4
- Contract 4 budget discussion
- Regionalization and/or re-negotiation of Bridgeport Sewer Treatment Contract

No Discussion. MOTION CARRIED UNANIMOUSLY.

Remaining in the executive session are the Commission members, John Marsilio, Attorney Dennis Kokenos, Joe Solemene, Christine Kurtz for the portion relating to regionalization, Frank Smeriglio and Fred Mascia.

At 7:35 p.m. the tape recorder was turned off, the Clerk left the room and the Commission went into executive session.

The Clerk was called back into the room at 9:45 p.m. and the recorder was turned on.

The Vice Chairman will entertain a motion to come out of executive session and to state for the record that no vote was taken.

MOTION made DeVita seconded Hampford to come out of executive session and to confirm that no vote was taken. No discussion. MOTION CARRIED UNANIMOUSLY.

The Vice Chairman will entertain a motion to reopen the regular scheduled meeting.

MOTION made DeVita seconded Pulie to reopen the regular scheduled meeting of the WPCA for July 25, 2012 at 9:45 p.m. No Discussion. MOTION CARRIED UNANIMOUSLY.

1. Minutes to previous meeting.

There were no questions or comments regarding the June 27, 2012 Minutes.

MOTION made Hampford seconded DeVita to approve the June 27, 2012 Minutes as written. No Discussion. ONE ABSTENSION (Pulie). MOTION CARRIED.

2. Tighe & Bond.

Progress report. Fred Mascia said since the last meeting:

- Mark IV has been working on chimney replacements;
- Completed sewer installation in Jerusalem Hill;
- Started some work at Dogwood Pond in the easement and on Dogwood Lane;
- Some restoration work and cleanup work throughout the project;
- Doing some drainage work;
- Doing some restoration work;

The pipe installation is still at 95 percent and we are down to about less than 2500 linear feet to install and it's all in the Dogwood Pond area. Jerusalem Hill is down, the laterals are being done next week and then it's just piping Dogwood Lane and the two easements along Dogwood Pond.

Change Orders.

Fred Mascia summarized each of the following change orders:

Change Order R111R dated 6/20/2012 in the amount of \$9,000.00 to install oversized catch basins on Booth Hill Road. Fred said this is a resubmission of a change order request for installation of 2 oversized catch basins on Booth Hill Road. Previous submission was for around \$10,000.00 and the contractor revised the price to \$4,500.00. He also said the two locations were reviewed and it is agreed they need to be replaced and the work has not been done yet. Frank Smeriglio and Fred explained what is there now, the locations and what needs to be done.

MOTION made Hampford seconded Pulie to approve change order R111R in the amount of \$9,000.00.

Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R117 dated 10/14/2011 in the amount of \$28,814.56 to install sanitary lateral at 49 Old Green Road and Change Order R118 dated 10/14/2011 in the amount of \$22,080.27 to install sanitary lateral at 2373 Huntington Turnpike. Fred said about a year the Commission approved a change order request to do a deep lateral at 49 Old Green Road and this is the T&M request. He wants to re-review these two requests because some of the charges should have been paid under the contract. He recommended both of these be tabled.

MOTION made Hampford seconded Pulie to table change order R117 and change order R118. Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R119 dated 4/27/2012 in the amount of \$3,436.74 for test pit at Route 108 at Jerusalem Hill Road. Fred said we had to relocate water lines and verify AT&T location and it is work that had to be done.

MOTION made Pulie seconded Hampford to approve change order R119 in the amount of \$3,436.74.
Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R120 dated 4/27/2012 in the amount of \$6,502.41 to install sanitary laterals at 2447 Road and 20 MacDonald Road. Fred said these are two locations where the laterals and the easement work were not included in the bid. Our inspector kept tract of the T&M and the contractor submitted prices based on T&M for both. He also reviewed what it would have cost if it was based on the contract unit price and price to abandon the septic tank.

MOTION made Hampford seconded Pulie to approve change order R120 in the amount of \$6,502.41.
Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R121 dated 4/30/2012 in the amount of \$1,430.00 for species upgrade at 44 Red Fox Lane and 23 Dogwood Lane. Fred explained the easement was not specific regarding the tree species and this is for upgrading the tree species. The contractor usually uses white pine as the species of choice to replace trees and the homeowner did not want white pine. This is the upgrade for 3 or more red maples and a couple flowering dogwood. A brief discussion took place regarding easement restoration. The cost is reasonable and this is work Mark IV will do to complete the easements.

MOTION made Pulie seconded Hampford to approve change order R121 in the amount of \$1,430.00.
Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R122 dated 4/30/2012 in the amount of \$34,760.99 to furnish and install 52 plantings at various locations. Fred said there were easements that were not completed at the time of the bid and those easements had specific tree plantings included in them. The contractor was asked to give a price and they came up with the price of \$34,760.99 to do it with his subs. Fred also said we've been asked by the public works department to include these with some of the other additional restoration work that we're doing to make it part of that bid. He would recommend instead of having Mark IV hire a separate contractor to do this work that we remove this from consideration because the Commission is going to be asked to pay for it in a different way.

MOTION made Hampford seconded DeVita to remove from consideration change order R122 in the amount of \$34,760.99. Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R123 dated 5/08/2012 in the amount of \$5,200.46 to install sanitary lateral at 37 Partridge Lane. Fred said this falls in the same category as the other laterals that were talked about. It was part of the easement agreement and this price is for T&M versus using the unit prices under the bid that really don't apply to cross country laterals and would have been over \$8,000.00. The lateral was shown on the plan, but the easement agreement says they would be hooked up so it is extended from the edge of the easement up to the septic tank and there is not a cost in the contract for that. Joe Solemene said the cost was deducted from the payment that was paid for the easement.

MOTION made Hampford seconded Pulie to approve change order R123 in the amount of \$5,200.46.
Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R124 dated 5/10/2012 in the amount of \$2,314.59 to install sanitary lateral at 126 Hilltop Drive. Fred said this is the same scenario as the other ones previously discussed tonight and by keeping tight track of the actual productivity in the field it is considerably less than the flat rates.

MOTION made Pulie seconded DeVita to approve change order R124 in the amount of \$2,314.59. Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R125 dated 5/15/2012 in the amount of \$2,600.00 for cleaning of sewer before testing.

Fred said they are cleaning it because in some areas the Town had granted people permission to connect and the testing wasn't completed and they want to get the TV contractor back in to do the TV testing. He said the

contractor is looking for more money to clean his equipment. Fred explained some areas were released that were not tested. He also said this is just a forecast cost and this comes up later on in another change order request where they actually submit the real cost and we will deal with it under that. He recommended the Commission remove this from consideration.

MOTION made Pulie seconded DeVita to remove from consideration change order R125 in the amount of \$2,600.00. Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R126 dated 5/09/2012 in the amount of \$306,879.64 for permanent paving on Huntington Turnpike. Fred said this is the permanent paving on Huntington Turnpike based on the DOT permit that was issued to Mark IV to install the sewers. The contracts went out to bid with an overlay of an inch and a half throughout the entire sewer project with nothing distinguishing whether State road or not. But, the State said no it is two inches with two inch overlay and that is the permit that was actually issued to Mark IV when they started construction. This is a cost to do that complete operation.

MOTION made Hampford seconded Pulie to remove from consideration change order R126 in the amount of \$306,879.64. Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R127 dated 5/21/2012 in the amount of \$8,554.77 for lawn restoration at 2447 Huntington Turnpike. Change Order R128 dated 5/22/2012 in the amount of \$5,354.25 for lawn restoration at 20 MacDonald Road. Change Order R129 dated 6/01/2012 in the amount of \$2,693.20 for lawn restoration at 126 Hilltop Drive.

Fred grouped these three change orders together and asked the Commission to table these so he can go back to Mark IV and have them review these again. Basically, these are for lawn restoration for three laterals that the Commission already approved. Fred said a reasonable work area for restoration needs to be determined because there is a difference in opinion with Mark IV over what is the acceptable area to get paid for. For example, we have lateral off the main to the septic tank we assume that the work area is around twenty feet wide and whatever the length is. In some of these cases the entire front yard was disturbed and it was the contractor who opted to that. Mark IV charged for the entire area and the Commission will only pay for a reasonable work area of twenty or thirty feet. Fred wants Mark IV to review these charges because everything beyond twenty or thirty feet should be the contractor's responsibility.

MOTION made Hampford seconded Pulie to table change order R127 in the amount of \$8,554.77, change order R128 in the amount of \$5,354.25 and change order R129 in the amount of \$2,693.20. Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R130 dated 6/01/2012 in the amount of \$22,050.05 for new driveway at 2447 Huntington Road. Fred said this is part of an easement. After discussion with Public Works this should be included in with the other work that is going to be bid separately and included in that landscape work. He recommend this change order be removed from consideration.

MOTION made Pulie seconded DeVita to remove from consideration change order R130 in the amount of \$22,050.00. Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R131 dated 6/05/2012 in the amount of \$735.35 to replace manhole JH-1. Fred said this is the difference to replace the manhole that was originally ordered for Jerusalem Hill after we had to readjust the sewer and change the grade. It ended up having to be a three foot deep manhole and this is the cost difference. MOTION made Hampford seconded Pulie to approve change order R131 in the amount of \$735.35. Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R132 dated 6/05/2012 in the amount of \$661.25 to sawcut concrete roadway at 449 Shelton Road. Fred said when they were reviewing all the chimneys and laterals they found the lateral for 449 Shelton Road was never installed when the sewer was constructed. They have to go through a portion of concrete

pavement to install this lateral. He noted public works is going to be doing work in Shelton Road and he recommended tabling this because the concrete may not be there after the work gets done.

MOTION made Hampford seconded Pulie to table change order R132 in the amount of \$661.25. Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R133 dated 6/07/2012 in the amount of \$2,100.00 to remove and dispose PVC pipe between MH DSCC-1 to DO-8. Fred pointed out on a map the easement area coming in from Shelton Road up to the second manhole. The contractor laid 140 feet of PVC pipe before he abandoned the operation because of the ground water condition. It was decided the pipe should be removed as well as the rest of the area at Dogwood Pond and install ductile iron pipe. The contractor was told we would pay for the PVC that was already installed and the new ductile iron but we would not pay to remove the old pipe. Fred does not feel this is justified and recommended it be denied.

MOTION made Pulie seconded Hampford to deny change order R133 in the amount of \$2,100.00. Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R134 dated 6/07/2012 in the amount of \$1,488.72 for exploratory excavation at 440 Shelton Road. Fred said this was on the schedule to have the chimney replaced and when it was dug down to the lateral it was found that it was a precast chimney. They checked the daily reports and the former Town inspector that was the inspector at that time never wrote on his report that it was replaced. It is in between two other chimneys that are being replaced so it was assumed it also had to be replaced.

MOTION made Pulie seconded Hampford to approve change order R134 in the amount of \$1,488.72. Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R135 dated 6/26/2012 in the amount of \$34,550.00 for Jerusalem Hill road reconstruction. The contractor submitted a T&M estimate to reconstruct a portion of Jerusalem Hill and claimed there was no pay item for that. Fred said the original bid showed the road being raised to accommodate the sewer and it was always part of the plans. The road has been raised, gravel is in place and the shoulders have been roughly formed. He recommended this change order be tabled so they can try to renegotiate some of the items.

MOTION made Pulie seconded Hampford to table change order R135 in the amount of \$34,550.00. Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R136 dated 6/26/2012 in the amount of \$7,175.18 to furnish four inches of stone for restoration work at Booth Hill to Route 108. Fred said the plans called for a gravel surface and the detail shows a gravel easement. The contractor submitted because there is no pay item for that. Fred said they reviewed the restoration spec and it mentions everything but gravel surface so they're not sure if this is legitimate or not. He asked the Commission to table this so they can look at it in more detail. Discussion followed regarding grass, gravel, easements and restoration.

MOTION made Pulie seconded DeVita to table change order R136 in the amount of \$7,175.18. Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R137 dated 6/25/2012 in the amount of \$3,220.00 to retest new precast chimney installations where previous tests did not meet specifications. This is an area where during the initial chimney or mandrel testing there was a failure. It is also an area where a chimney had to be replaced. The contractor is claiming it is a replacement chimney therefore the problem went away and wants to get paid to retest the line.

MOTION made Hampford seconded Pulie to deny change order R137 in the amount of \$3,220.00. Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R138 dated 6/27/2012 in the amount of \$589.58 to refabricate MN-JH-2. This is the other side of the crossing on Jerusalem Hill and they had to adjust the grade.
MOTION made Pulie seconded DeVita to approve change order R138 in the amount of \$589.58. Discussion.
MOTION CARRIED UNANIMOUSLY.

Change Order R139 dated 7/06/2012 in the amount of \$1,150.00 to retrofit existing manholes at Dogwood Pond for DIP. This is for some locations where manholes were already ordered and the PVC was replaced with ductile iron pipe.
MOTION made Hampford seconded Pulie to approve change order R139 in the amount of \$1,150.00.
Discussion. MOTION CARRIED UNANIMOUSLY.

Change Order R140 dated 7/09/2012 in the amount of \$457.52 to realign CB lateral to avoid conflict with sewer main (9/22/10). This work was done in September 2010 on Old Green where there was direct conflict with a storm pipe. Fred wants to check this out further and recommended it be tabled.
MOTION made DeVita seconded Hampford to table change order R140 in the amount of \$457.52. Discussion.
MOTION CARRIED UNANIMOUSLY.

Change Order R141 dated 7/10/2012 in the amount of \$398.06 to change to ductile iron pipe in lieu of PVC for lateral at 25 Jerusalem Hill. When the sewer was raised a little there was one lateral that had to be ductile iron because of shallow coverage and this is the cost difference.
MOTION made DeVita seconded Pulie to approve change order R141 in the amount of \$398.06. Discussion.
MOTION CARRIED UNANIMOUSLY.

Change Order R142 dated 7/18/2012 in the amount of \$776.25 for additional cost to perform mandrel test on live sewers. Fred said this is for further testing on areas where the sewers were live and testing wasn't done sooner. He does not believe this is very legitimate because testing should have been following their elevations and should have been done.
MOTION made Hampford seconded Pulie to deny change order R142 in the amount of \$776.25. Discussion.
MOTION CARRIED UNANIMOUSLY.

Change Order R143 dated 7/24/2012 in the amount of \$2,000.00 to remove tree stump debris. The contractor was starting to install a manhole on Dogwood Lane heading towards the pond and came through an area that must have been a developer's burial area and found tree stumps and residue. Fred believes this is a legitimate claim but wants a breakdown and backup documentation.
MOTION made DeVita seconded Hampford to table change order R143 in the amount of \$2,000.00.
Discussion. MOTION CARRIED UNANIMOUSLY.

3. Invoice Approval.

Application #34 - \$47,295.09. Application #34A- \$550,182.00.

Application #35 - \$146,194.61. Application #35A - \$301,348.00.

The Vice Chairman will entertain a motion that Application 34, Application 34A, Application 35 and Application 35A shall be tabled until a special meeting that the Commission agreed shall be held on August 15, 2012 at which time the Commission will consider payment.

MOTION made Hampford seconded DeVita that Application 34, Application 34A, Application 35 and Application 35A shall be tabled until a special meeting that the Commission agreed shall be held on August 15, 2012 at which time the Commission will consider payment. No Discussion. MOTION CARRIED UNANIMOUSLY.

4. Wright-Pierce and I&I Update.

Christine Kurtz said the manhole inspections are complete on the ones that are accessible with the exception of a few that need additional traffic control and will be done when they do the TV and smoke testing. Information regarding the smoke testing and house inspections was provided to the Town website and Trumbull Patch. Mailings will be going out and the information is posted on the Town webpage. She summarized the schedule and time frames for testing and inspections and indicated they will contact the police and fire departments. Discussion took place regarding enforcement, correcting problems that are found and examples of how other Town's handle violations. Frank Smeriglio explained he is working on a policy and ways to implement and enforce it. He also gave a brief projection of how the Commission may proceed and what will be needed for the next fiscal year. Commissioner Pulie stated that right now we do not have a policy in place to enforce for an illegal connection.

4. Billing Statements.

Tighe & Bond and Wright-Pierce. The Commissioners reviewed the spreadsheets. There were no questions, comments or concerns.

6. Old Business.

Up-date: Audit of the 59 and 20 accounts. Commissioner Egri had no update to report.

ACOE restoration work and Shelton Road pavement restoration. Frank Smeriglio said this is to put together a bid for the restoration work in easements and since there is a lot of concrete underneath the existing asphalt on Shelton Road we felt it is best to put out a bid just for that road separately. The proposal from Tighe and Bond is to put together those two bid packages. Discussion included restoration work, pavement restoration included in the Contract, doing it in-house, timing issues, plan for Shelton Road, condition and makeup of Shelton Road, estimated fees, sharing costs with public works, evaluations and time frame. The estimated fees are \$30,000.00 for the restoration work and \$25,000.00 for Shelton Road and the final prices will be based on actual time. The Vice Chairman will entertain a motion to approve.

MOTION made Hampford seconded DeVita to approve the scope and fees as estimated from Tighe & Bond for both the ACOE permit restoration work and the pavement rehabilitation design work. Discussion.

MOTION CARRIED UNANIMOUSLY.

The Vice Chairman will entertain a motion to take a break.

MOTION made Pulie seconded DeVita to take a five minute break at 10:40 p.m. No Discussion. MOTION CARRIED UNANIMOUSLY.

The Vice Chairman called a recess at 10:40 p.m. and reconvened the meeting at 10:45 p.m.

Also on the topic of restoration work, the Vice Chairman will entertain a motion that the Commission gives Tighe & Bond authorization to inform Mark IV that it shall be omitting from the remaining bid item numbers 72, 73 and 74.

Commissioner Pulie stated the reason why the Commission is removing the pavement items is the Town has optioned to utilize the State bid which will save this Contract over a million dollars by removing the pavement from the budget. Frank Smeriglio said in the original Contract these three items are mill and pave. He explained as the work was being done the existing trenches along the road were patched. The original bid was milling curb to curb but leaving asphalt in the trench as part of the original excavation. We want a twenty year road and in order to achieve that we have to reclaim the entire road curb to curb, put in a binder course and a wearing course and because of that those pavement items won't be utilized. What we want to do is utilize the State bid because the prices are cheaper than what was proposed by Mark IV and will save 1.3 million dollars. The Commission wanted confirmation that it has the right to do this under the Contract. Attorney Kokenos explained information for bidders provided to all the bidders specifically says that 'the owner reserves the right to increase

or decrease the approximate quantities for or to omit entirely any of the items as listed in the bid' and there is other language within that section of the contract which also supports this position.

MOTION made Pulie seconded DeVita that the Commission gives Tighe & Bond authorization to inform Mark IV that it shall be omitting from the remaining Bid item numbers 72, 73 and 74. Discussion. MOTION CARRIED UNANIMOUSLY.

Tighe & Bond Contract. Frank Smeriglio said this is a summary of Tighe & Bond's time on the project and shows the description and the amount and for the remainder of 2012 we anticipate we would have to extend the contract by \$644,415.00. He went over the summary showing the subtotal of \$1,751,415 through April 27, 2012 and the projected costs through the end of the year. Discussion included charges being separated with Public Works, remaining work, Dogwood Pond, wetland easement restoration area and Shelton Road. It was noted that Shelton Road is included as part of the summary. The Vice Chairman asked if there were any other comments for discussion and there were no further comments. Commissioner Egri said based on the work Tighe & Bond has been doing she feels we do need to extend this throughout the end of this project.

MOTION made Hampford seconded Pulie to increase Tighe & Bond's Contract \$665,000.00. Discussion. MOTION CARRIED UNANIMOUSLY.

Transfer of funds to cover sewer repair work on Stonehouse Road. At the last meeting the Commission requested backup information before considering the transfer of funds. Frank Smeriglio went over Tighe & Bond's Stonehouse Road Pavement Rehabilitation Project Summary of Sanitary Sewer Repair Costs document which is a description of the items, quantities, unit costs, total costs with attached sheets showing pictures of some of the problems that were found. He summarized and explained the photos and comments and discussion followed. Further discussion included costs, findings, problems, possibilities for failures, infiltration and the condition of the system after eight years. Fred said there were 15 locations that were leaking and repairs consisted of replacement of nine chimneys and three manholes and two point repairs due to overbelling and installation of one missing inside drop. The Vice Chairman requested an explanation of what the transfer of funds means and what is being asked to be approved. Joe Solemene said an appropriation needs to be done from the 20 account into the capital outlay account. Discussion included questions regarding Town Council and/or Board of Finance approval, legal opinion issued in 2010, previous approval of WPCA's budget, payment being connected with the construction, reconstruction or maintenance of the sewer system and Section 1953 of the Municipal Code regarding proceeds in the user fee account. Attorney Kokenos summarized that the WPCA's budget went to the Board of Finance and Town Council and the funds that we are now paying for the maintenance and construction of the system have already been approved by the Board of Finance and these funds can be transferred.

The Vice Chairman will entertain a motion to approve the transfer of funds to cover the sewer repair work on Stonehouse Road.

MOTION made Pulie seconded DeVita to approve the transfer of funds to cover the sewer repair work on Stonehouse Road. Discussion. MOTION CARRIED UNANIMOUSLY.

7. New Business.

Discussion – Bridgeport is increasing our cost 1.6% on residential and industrial/commercial. Decision as to increase across the board or limit the increase to treatment only. Joe Solemene said we received the budget increase from Bridgeport and it is 1.6% and we need to raise our rates and have a public hearing. The Commission discussed increasing just the user rate or also increasing the maintenance charge. The increase is from \$4.36 per CCF to \$4.43 per CCF on the residential rate which equals a \$.07 increase. A public hearing will be scheduled for the next regularly scheduled meeting in September and the increase will go into effect after that.

9. Any other business that may come before the Authority.

Legal Complaint that was served today. Attorney Kokenos said he will be submitting it initially to the insurance company to see if they will be picking up the defense. It is a common practice of his office whenever they get a complaint to send it to the insurance company. It is beneficial for the Town to have the insurance company pay attorneys' fees rather than the Commission. He also said he just read it and there are some allegations of negligence so he anticipates them actually defending the action. Attorney Kokenos will inform the Commission at the next meeting how it is being handled.

The Vice Chairman will entertain a motion to adjourn the meeting.

There being no other business before the Authority,

MOTION made Hampford seconded Pulie to adjourn the regularly scheduled meeting for July 25, 2012 at 11:03 p.m. No discussion. MOTION CARRIED UNANIMOUSLY.

Submitted by,

Joyce Augustinsky

Clerk of the Commission