

WATER POLLUTION CONTROL AUTHORITY

Town of Trumbull

CONNECTICUT

TOWN HALL

(203) 452-5048



5866 MAIN STREET

TRUMBULL, CT 06611

MINUTES

Water Pollution Control Authority Public Hearing

Tuesday, November 20, 2012

Members Present:

Karen Egri, Vice Chairman

Laura Pulie

Ennio DeVita

Timothy Hampford

Members Absent:

Jeanine Maietta Lynch, Chairman

Also Present:

John Marsilio, Director of Public Works

Joseph Solemene, Assistant WPCA Administrator

Frank M. Smeriglio, PE, Town Engineer

Dennis Kokenos, Esq., Town Attorney

Fred Mascia, Tighe & Bond, Project Manager

The Trumbull Water Pollution Control Authority held a public hearing on Tuesday, November 20, 2012 at 7:00 p.m. at Frenchtown Elementary School, 30 Frenchtown Road, Trumbull, Connecticut.

PUBLIC HEARING

NOVEMBER 20, 2012

CONTRACT 4 – NORTH NICHOLS SEWER PROJECT PROPOSED SEWER ASSESSMENTS

Vice Chairman Egri called the public hearing to order at 7:00 p.m. and read and entered into the record the public hearing notice (attached). She introduced the Commission members, staff and everyone listed above who are involved with this Project. It was noted Chairman Lynch was not able to attend.

Vice Chairman Egri welcomed and thanked the public for coming and stated the following:

The purpose of this public hearing tonight is to allow you, the residents of North Nichols Contract 4 to give us your input regarding the assessments on this project. We are here tonight to listen to your comments, questions and concerns. We respectfully request the following this evening:

- Only residents who reside within the Contract 4 North Nichols area speak this evening.
- If you are here to speak on some other issue or have another question non-related to the assessments we ask that you contact the WPCA through Town Hall.
- We will not be answering and discussing individual questions this evening because we want to make sure everyone has an opportunity to come up and speak for those who wish to do so.
- All the answers to your questions will be addressed and posted to our website. If you do not have access to a computer, please let us know and we can arrange to get those answers to you.
- If you have a specific question regarding your assessment we will respond to you personally in writing.
- Again, we are here to listen to your questions, comments and concerns about the assessments.
- Comments will be limited to three minutes per person so we can insure that everybody who is here tonight who wants to speak can.
- We ask that you sign in first and we will call you up to speak and please state your name and address for the record.

Vice Chairman Egri called the first name on the sign-in sheet.

1. Joe Alarcon, 2218 Huntington Turnpike

Has 3.2 acres and 70 percent of his property is wetlands. What is the consideration for wetlands?

Vice Chairman Egri indicated we are taking everyone's questions and concerns and we will respond back with the answers. She also explained the purpose tonight is for the commission to just hear residents' concerns, questions and comments. What we would like to do is just hear everything in its entirety so we can make sure we can give you the answers you need. To keep the meeting moving we would like to have all the questions and then we will provide the answers.

2. Jason Mumbach, 142 North Stowe Place

Question: Who agreed to the terms of this meeting if there is not going to be any input from the Board. He thought it was going to be a discussion and this is not acceptable.

Attorney Kokenos explained there are a lot of people who want to speak and we want to make sure everybody is able to speak. We are trying to balance having an open discussion and then having one issue that may take longer and then the other people who wanted their questions answered not getting a chance to have them addressed. We suggest allowing people to come to the podium and ask their question and then when the residents' questions are complete, maybe we can go back and discuss it then. That way we are assured everyone had the chance to talk and then we can look at the questions and see if they are answerable tonight.

Mr. Mumbach disagreed with Attorney Kokenos' explanation and the format for the meeting.

3. Lisa Marino, 26 Kingsbury Drive

Wanted to add to the previous residents' comment – she has two issues and one was already asked by someone else regarding wetlands. It would probably be most time affective to answer questions because then somebody like her wouldn't get up because the question was already answered. The Vice Chairman stated we would like to continue with the proposed format and you are welcome to come up even if your question has already been asked and it will be addressed.

Mr. Mumbach disagreed with Vice Chairman Egri's response and asked who would like to do it his way or the board's way and called for a vote?

Multiple residents commented on the format of the hearing and suggested other ways questions could have been handled prior to the meeting.

Attorney Kokenos said he wanted to make it clear that there would be no voting tonight and this is a public hearing by Connecticut General Statutes rules. He summarized the purpose of getting the public hearing done, setting the assessments and what the obligation of the Board is. Also, if some of the questions the Commission believes they can answer they will try their best to answer it, but if it is the type of question that needs additional input they should not be put on the spot.

Mr. Mumbach further disagreed with the responses and stated his objections.

4. Theresa Desisto, 83 Columbine Drive

Nichols residents were given information in 2002 based on whether or not to move ahead with the sewer and nothing that was voted on back in 2002 came to be. Residents were told the proposed assessment was not going to exceed \$100.00 per foot. The decision to move forward was based on facts that were given and those facts have not been taken into consideration and no one voted on what is going on today. This needs to be rectified and she contacted Senator Blumenthal regarding these issues.

5. Steven Reilly, Esq. attorney for Matthew Mihaly, 116 Jerusalem Hill

Commented on his client's lawsuit against the Town. He summarized his client's issues regarding the grinder pump agreement and grinder pump system, paying for and maintaining the grinder pump system and septic system, and it being a burden to his client's title. They also object to any assessment.

6. Joaquim Goncalves a/k/a Jack Goncalves, 79 Golden Hill

Disclosed that he was on the board for five years. He asked, where is the First Selectman? His first concern is that the project is not 100% complete. There is still the restoration of easements, curbing, paving, etc. He understands the Town has to start collecting on the bonds and he wants to make sure people of North Nichols will not be charged a supplemental assessment. He noted for the record that the lateral installed on his property was not where he wanted it. He said Huntington Road is half Stratford and half Trumbull and he commented on assessments being charged to Trumbull residents and not being charged to Stratford. Mr. Goncalves suggested how assessments should be handled if the Stratford residents are allowed by Bridgeport to connect. He also addressed a letter from the First Selectman and reductions and relief pertaining to the Jog Hill project. He said the people of North Nichols request the First Selectman petition the Town Board of Finance for this relief.

Vice Chairman Egri stated the residents of Stratford cannot hook into this system without Bridgeport's permission.

7. Arthur Kukla, 84 Golden Hill

He is disappointed in the meeting. Came here tonight to find out when project would be finished, what's the original cost, what's the estimated cost, how much is the excess? We came for this information and expected the experts to tell us. It's been a waste of time and it deserves a great deal of criticism for the representatives.

8. William Bevecqua, 30 Partridge Lane

Here to echo the resentment and outrage that is expressed tonight. When this project started we were looking at \$100 a linear foot now I'm paying \$162 a linear foot and that is a 62% increase. That is an outrage and is unconceivable. This has to stop and this has to change and needs to be brought down to where it is acceptable.

9. Christine VanCott, 28 Teeter Rock Road

Wanted to clarify that this is a public hearing and not an informational session. We are here for very different reasons. If this is going to get your agenda finished and not complete ours, then we should leave and walk out. The Vice Chairman said the purpose of this meeting is to hear from you before we set the final assessments and I just want to clarify the Board has worked extremely hard to keep the project costs down. All of our session meetings throughout the course of this project are open to the public so we're not doing something behind closed doors.

Ms. VanCott disagreed with the Vice Chairman's response.

Random comments from the public about walking out and agreeing with the above residents. Also comments referring to the assessments and how they are calculated, additional charges, and supplemental assessments.

Dennis Kokenos again attempted to explain the meeting format and said we can try to amend it because of what they are saying, but we still need to insure that everyone on the list has a chance to talk. What he was proposing did not seem to be acceptable and he again noted the Commission has the obligation to make sure everyone talks. Jason Mumback and Lisa Marino stated their opinions and comments regarding the meeting forum, Roberts Rules, procedures, and getting answers.

About half of the residents in attendance walked out of the meeting.

The Vice Chairman called the next speaker.

10. Marilyn Rosado, 2361 Huntington Road

About 10 years ago her leaching field failed and was replaced. Joe Solemene explained if your septic system is less than 15 years old you are not required to connect as long as it is operating within community standards. He also explained you have to pay the assessment whether you connect or not.

11. John Berky, 412 Shelton Road

Has about 55 foot frontage and is being charged for more. He also said he is making a plumbing change so he will be able to get gravity feed. Joe Solemene explained the guidelines for minimum and maximum foot frontage was established in 1972 and the standard is 80 foot minimum and 125 foot maximum, so he will be paying the 80 foot minimum. It is done this way so everyone pays a similar assessment in a neighborhood of the same development. Because he got gravity feed the \$3,500.00 grinder pump amount will be removed from his assessment.

12. Paul Deregt, 27 Turkey Meadow Road

He wanted to know what is the rationale behind using street frontage rather than taking the total project cost divided by the number of households to determine the amount of the assessment. Every house receives the same benefit when flushing so why is the unit cost not the same for every household. Frank Smeriglio explained the method and reasons of the front footage determining the assessment. He again asked why the sewer assessment is not based on the benefit that the house receives? Attorney Kokenos highlighted the statute regarding assessments and said he believes it is what the Town's assessments are based on. Mr. Deregt asked if the assessments can be changed to being based on the benefit and not frontage. The Vice Chairman told him it will be looked into.

13. Russell Pickett, 122 Hilltop Drive

He lives on a corner lot and questioned if the frontage was based on both sides. He was told the frontage amount will be checked. He also questioned if he uses the installment method of payment can it be prepaid at a later date. Vice Chairman Egri informed him she believes it is permitted.

14. Luciana Gay, 531 Booth Hill Road

Wants a formal objection on the record that this does not qualify as a qualified hearing. She is asking for a consideration of reduction for all large frontages due to the design of the property. She said she previously requested for all these households to have a reduction to the minimum lot size when they are in that situation and she said she did not get a response. She also wanted to know when can she expect the responses to tonight's questions. The Vice Chairman told her in a week or two.

15. Jennifer Gerlach, 90 North Street

Her property was not on the original plan. They bought the house in 2006 and was not told about the sewers at that time and they found out two years later and she wanted to know who should have told her about sewers being installed. Pipe installation stopped at the house next to hers and she was told her house was already hooked up on the old system. They checked again and it was determined she was not on the old system. There is no pipe in front of her house and they connected her with her neighbor's. They extended the pipe down in front of her house, extended it across her driveway and to the middle of the next house. She does not have a pipe in front of her house and she will have to rip up her driveway to connect and pay for 200 feet of pipe instead of 50 because it is not in front of her house. She wants to know what kind of credit she should get because she is being charged for frontage she doesn't have because there is no pipe in front of her house. She was told to call Joe Solemene. Also, Attorney Kokenos said her closing attorney should have told her at the time of closing.

16. Aleksandr Beletskiy, 36 North Street

Only has 20 foot frontage and wants to meet with Joe Solemene because there are wetlands and a bridge on his property. He will call Joe Solemene.

17. Patricia Bowman, 6 Hunters Lane

Her septic terminates at a manhole about 24 inches into her property and to hook up she would have to go 200 feet around or under the driveway. She said there is only two feet of pipe and her assessment should be really small.

18. Thomas Decerbo, 28 Columbine Drive

Said he has 90 foot frontage with a lot that is more than one acre and according to the minimum he will be assessed for 150 feet which is 60 feet more than what was laid across the front of his property. That is over \$10,000.00 for pipe line that was never laid in front of his property. Are the guidelines subject to change or can they be amended? To have 90 feet and to have to pay for 150 feet because he has more than an acre of land is not fair.

19. Paul Deregt, 27 Turkey Meadow Road - He spoke previously.

His second question is when the answers to the questions that were presented this evening are given how will everyone in the room get the answers? The Vice Chairman said the answers to the general questions will be put on our website or if requested will be sent to you. If you have specific questions we will meet with you and your response will be sent or you could come in and talk with us. He again discussed equal division among all residents because it should be based on getting the same benefit.

In response to a question regarding the website the Vice Chairman said if you go to the Town of Trumbull website the WPCA has a page and if you click on that page will be there.

20. Robert Hall, 10 Powder Mill Lane

Has a corner lot and has one side that is shorter and he wants that checked out. He also wanted to know if a grinder pump is not listed now does it mean it is not needed. Franks Smeriglio said if you don't need a pump the \$3,500.00 change would be removed and if it shows 0 you are not anticipated to have a grinder pump and you don't need a grinder pump. He was told to contact Joe Solemene.

21. Michael Horyczun, 7 Round Ridge Trail

Has a corner lot and is being assessed for the maximum footage and wants to be assessed for the side that is shorter. He was told to call Joe Solemene.

22. Ron Johnson, 34 Turkey Meadow Road

Comments: Since the project started it has been a fiasco since day one. There have been huge trucks on his lawn, they knocked down 2 of his lamps, there was a porta-potty and other sewer debris on the corner for a year and a half, and he can't sell his home because of the condition of the area. Questions: 1) He has a corner lot and wants to be assessed at the shorter side. 2) Will there be any sort of official report on what happened and why it happened? 3) The Town has pursued payback on previous projects and if that comes through will we see any benefits?

23. Dsvhin Kulkarni, 49 Turkey Meadow Road

More than half of his property is wooded and he does not use all of his property. Wants frontage changed that way he is not paying for property he will not use. The cost is far more than what he expected.

24. Seng Lee, 600 Shelton Road

His property is one-half acre and he is being charged for 150 feet. He wants to discuss his hook up location because it is on the other side. He was told to call Joe Solemene.

25. Martin Shapiro, 36 Dogwood Lane

Suggested it would have been helpful if someone had explained to the group how the assessments were originally calculated. 1) Please explain on the website all the worksheets that were used to develop the final per foot linear foot charges so we can understand how the \$162 dollars was gotten. 2) All the storm drains in this project have been changed and all the roads are being completely rebuilt and these things were never done before in other projects. He wanted to know under what authority does the WPCA have to repair storm drains and rebuild roads. John Marsilio explained the cost of the roads and the cost of the storm drains are not in the assessments and you

will see a complete breakdown of all costs on the spreadsheets and it will be clear that the Town has retained costs of storm drainage and paving.

26. Michele Stapelton, 440 Shelton Road

She said she agrees there should have been a presentation of what the total cost of the project was and how many homes were assessed and how you arrived at the assessments. She lives across from the Indian Reservation and there is an easement there. What is happening there and is that holding things up from finishing this section of town? Also does it cost extra, is it an overrun and is it included in the assessment? Frank Smeriglio said the work in the easement is on-going right now. There is about 1000 feet left of sewer main on Dogwood Lane that is currently going on now. As part of the assessments the value of that work has been calculated and is included in the total assessment value. She commented that the paving on Shelton Road is beautiful and is concerned curbing will be disturbed when residents connect. Frank Smeriglio said the laterals that were installed on Shelton Road were extended beyond the curb line so contractors can start their work about 10 feet behind the curb line. She also said she disagrees with the person who talked about how many times you flush a toilet because that has nothing to do with usage. Also the rest of Trumbull has gone with the linear footage and to change it now would not be fair to all of us.

27. John Mellish, 386 Shelton Road

He can't understand how his assessment was determined. He was told to contact Joe Solemene.

28. Jason Mumback, 142 North Stowe Place

He wanted to know if this is the initial phase and then at what point is it finalized? Are there any other steps between now and this assessment being finalized? The Vice Chairman said the Commission has to meet again before we set bond assessments. She also explained all meetings are open and noticed and the public is allowed to speak at the beginning of each meeting. He stated that after they get the answers back to the questions there'll be another opportunity to discuss the answers before this is finalized and there'll be another meeting? Vice Chairman Egri informed him there will be another meeting because there has to be another meeting where we vote on the assessments. A brief discussion followed regarding the WPCA's next meeting which is scheduled for December 12, 2012.

29. Debora Saris, 87 Skyview Drive

She said she needs a grinder pump and has been in contact with the contractor for the installation and she wants to know when it will be done. She is worried about losing power again and wants to have a generator installed and she was told the grinder pump needs to be installed first. Frank Smeriglio said he will get the contractor's schedule.

The Vice Chairman asked if anyone else wanted to come up and speak.

30. Dana Wilson, 33 Woodcrest Avenue

He asked if Trumbull WPCA is separate entity from Bridgeport. He is on a corner lot at Woodcrest and Briarwood and there is a manhole there. He has 100 feet of property, but the actual pipe and the manhole is actually right across the street from his driveway. He asked why is he being charged for 100 feet which is \$16,000 dollars when he only has 25 feet which is about \$4,000 and that is a \$12,000 difference. He was told to contact Joe Solemene.

Vice Chairman Egri asked if there was anyone else who has not spoken yet?

31. Robert Turner, 56 Jerusalem Hill

Said he came tonight seeking information and he hopes there will be another forum to get it. He said on Jerusalem Hill all the lots are small and based on orientation the assessments vary dramatically. It doesn't make any sense why

he is paying an assessment \$4,000.00 more than many of the other homes on the street that are actually larger because his lot is oriented the long way. He will contract Joe Solemene.

32. Alex Szedlmayer, 2551 Huntington Road

He asked why does he have to pay for all the piping when Stratford has to pay nothing? He said he lives in Trumbull and Stratford is not to pay anything. He said it is a rotten deal.

Vice Chairman Egri reiterated that Stratford cannot hook in without permission from Bridgeport.

33. Valentina Haddad, 565 Shelton Road

Said she has wetlands in the back and asked if it is calculated in? She was told to contact Joe Solemene.

34. Jose Latorre, 53 Columbine Drive

He is being charged for a grinder pump. He got gravity and did not need the grinder pump and has hooked up already. He also wanted to know about paving on Columbine. Frank Smeriglio said the \$3,500.00 for the grinder pump will be removed and he will not be charged for it. As far as the paving on Columbine, right now we are passed the season to do the paving so that work will occur in the Spring. He was told to contact Joe Solemene.

35. Deborah Wilson, 33 Woodcrest Avenue

She said they own property in Bridgeport and had problems with the water pollution control authority in Bridgeport and its liens and collection practices. She purchased a house in Trumbull because there was no water pollution authority in the Town of Trumbull. They are very extremely unhappy about the WPCA coming into Trumbull. She commented that Trumbull has too many hills for sewage to run uphill. They are now thinking about selling their property in Trumbull because they never want to deal with a WPCA again. She asked who has to pay the sewage bill if they decide to sell and what point in time would they be responsible for the bill. Attorney Kokenos informed her Trumbull does not collect debts like that. In response to her questions about who is responsible he told her adjustments would be done at closing. She wanted to know specifically what the adjustments would be. Attorney Kokenos said whoever owns her property after she sells will have to be responsible for the assessments. He explained title search procedures and suggested she speak with her realtor. She purchased in 2000 and was never told about this happening and this is unfair. She wants to receive the answers in writing.

36. Albert Sivahop, 27 Powder Mill Lane

He has a problem with the assessment and the sewer line is only about half the length of his property. His assessment is the highest it could be and he wants to know how the assessment was calculated. He also said he has a lot of water on his property. He wants to know how much it will cost to connect. The Vice Chairman suggested he speak one on one to get the information he wants. He said he wants to appeal and he was informed that is his right. He also said the \$162 a linear foot is ridiculous. Frank Smeriglio will speak with him.

37. Anis Zaman, 2771 Huntington Road

He questioned the footage charged. He wants the footage explained and Frank Smeriglio said he would have to review the maps in order to answer the questions. Mr. Zaman also had questions regarding sewer installers and the registered sewer installer list. Frank also explained the process of using a registered sewer installer.

38. Lisa Marino, 26 Kingsbury Drive

She said it would have been beneficial to know how it was calculated. She has a tremendous amount of wetlands on her property. She said she is distressed with the payment options and she discussed the options that are available. She had questions about the bounded interest rate. Frank Smeriglio explained the Town had already done three bond purchases and the interest rate in the letter is the average of the three bonds that have been issued.

39. Sachin Kulkarni, 49 Turkey Meadow Road

He had questions regarding frontage calculations because his property is an arc shaped lot. He was told to contact Joe Solemene.

40. Michele Stapleton, 440 Shelton Road

Wanted to know when her assessment payments would start. She also had suggestions for making payments over time for lateral lines. Vice Chairman Egri said the first payment would be due next July, which is July, 2013.

41. Robert Vonstein, 133 North Stowe Place

A few years ago when he received his first letter about this he was given an estimate of approximately \$22,000 and he now received one of almost \$29,000.00. He is being charged for 175 feet of frontage and the pipe that runs into his property from the street is about 15 feet. He wanted to know when was the project was first planned? The response was 2002. His additional questions and comments referred to: lateral costs and pricing in 2002, who voted on this, bonding, and politicians from 10 to 12 years ago.

42. Andrea McIntyre, 539 Booth Hill Road

She wanted to go on record that she is disappointed that not everyone was charged the same amount. She also said she had no notification of where they were going to put the pipe and she would have preferred the other side of the house. They will have to go through pine trees that have been there for a long time and it is actually longer to go around the back of the house to get to where the septic is instead of going for a straighter shot.

Vice Chairman Egri asked if there was anyone else who wished to speak or if there were any other questions. If anyone has any other questions you can contact 203-452-5048 and you are welcome to come in and speak with any of the Town Officials. She thanked everyone for coming out tonight, thank you for your patience this evening and through the course of the project.

MOTION made Egri seconded Pulie to adjourn the public hearing at 8:50 p.m. No Discussion. MOTION CARRIED UNANIMOUSLY.

Submitted by,

Joyce Augustinsky
Clerk of the Commission