

WATER POLLUTION CONTROL AUTHORITY
Town of Trumbull
CONNECTICUT

TOWN HALL
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5866 MAIN STREET
TRUMBULL, CT 06611

MINUTES
Water Pollution Control Authority Meeting
June 26, 2013

The Trumbull Water Pollution Control Authority held their monthly meeting on Wednesday, June 26, 2013 at 7:00 p.m. in the Nichols Room, Town Hall, 5866 Main Street, Trumbull, Connecticut.

Members Present:

Karen Egri, Chairman
Laura Pulie, Vice Chairman
Ennio DeVita
Timothy Hampford
Edna Colucci

Also Present:

Frank M. Smeriglio, PE, Town Engineer
Dennis Kokenos, Esq., Town Attorney
Christine Kurtz, Wright-Pierce

The Chairman opened the June 26, 2013 monthly meeting of the WPCA at 7:08 p.m.

1. Minutes to previous meetings.

There were no questions, comments or additions regarding the May 28, 2013 Minutes.

MOTION made Egri seconded Pulie to approve the May 28, 2013 Minutes as written. No Discussion. MOTION CARRIED UNANIMOUSLY.

The Chairman noted they also need to approve the April 29, 2013 Minutes. She explained there was a motion on the table at the last meeting and there were 2 abstentions so they didn't have a quorum to vote. She noted discussion took place at last month's meeting relating to a correction needed on an invoice approval.

MOTION made Egri seconded Hampford to approve the April 29, 2013 Minutes with the one correction discussed at last month's meeting pertaining to Hampford's invoice approval motion on page 2 changing "minus \$19,200" to "subject to removal of item 68." No Discussion. TWO ABSTENSIONS (Egri and Colucci). MOTION CARRIED.

2. Tighe & Bond.

Progress report. Fred Mascia was not in attendance.

Frank Smeriglio said since the last meeting:

Mark IV has not started doing any drainage work, we've had one meeting with them and they are just reluctant with doing that and there is another meeting set up for July 10th. Our highway department has a crew doing drainage work and Julian Construction has a crew doing drainage work so we can stay ahead of our paving crew. We are using Julian because they are part of our on-call contractor bid and because we just found out that Mark IV is not going to do it, we had to use our on-call to do drainage work. We are keeping track of what it is costing us to pay them and what it costs for our crews. We are also keeping track of what we would have had to pay Mark IV. Our crews and our bid crews are doing inspection reports. He said as part of our capital plan 2013-2014 we have "x" amount of dollars budgeted for drainage improvements. As part of that which is outside of WPCA, we've hired Tighe & Bond to be an inspector out there. Frank explained he is doing the design work and the

project management work, but he needs to have someone out there to do the reports for Julian and one of the foremen of the highway department crew is doing inspection reports and giving them to him. Frank is keeping track of what we are paying versus what we would have paid Mark IV.

Road Work: Frank also said Garrity Construction is doing the reclaiming, grading and the milling and they started doing reclaiming on Columbine Road, Tamarack and other side streets along Booth Hill. He explained the way it is set up is we have the drainage crew start first, then we have the reclaiming crew and then O&G is going to do the paving last. He said it is curb to curb and there are roads we designated for reclaiming and roads designated for milling. There is a big push to do the main roads this summer, but it will still be into the fall.

Landscaper: Frank said we are still doing easement restoration work, but not on a full time basis. We are down to two easements and still negotiating what to put back.

Change Orders:

No change orders this month. Frank Smeriglio said there is a meeting set up for July 10th with Mark IV to discuss change orders and drainage.

3. Invoice Approval:

Mark IV. No invoice this month.

Guerrera Construction Company, Inc. – Application 6 - \$23,605.03. Frank said this is the final invoice. We were holding on to the retainage because we had to make sure all the grass areas stabilized. Tighe & Bond went back and confirmed that grass is stabilized and growing. This invoice is to release the remaining part of the retainage. MOTION made Pulie seconded Hampford to approve Application 6 for Guerrera Construction Company in the amount of \$23,605.03. Discussion. MOTION CARRIED UNANIMOUSLY.

LJF Outdoor Maintenance – Application 10-1 - \$10,665.00. Frank said this is for restoration work in the easement between Teeter Rock, Dogwood and Shelton Road and there are seven properties abutting that easement. This invoice is for plantings and restoration of 2 of those easements. It was noted the application is not signed and the commission requested Frank get the invoice signed and included that requirement in the approval motion.

MOTION made Egri seconded Hampford to approve LJF Outdoor Maintenance Application 10-1 in the amount of \$10,665.00 pending signature by the contractor and the Town of Trumbull. Discussion. MOTION CARRIED UNANIMOUSLY.

4. Wright-Pierce Update.

Phase 3 and Phase 4 status. Frank said at previous meetings we talked about how there was an overrun in phase 3 and we got permission to shift to reduce the scope of work for phase 4 so there is no long term overrun. Basically what we are doing as part of phase 4 is Christine Kurtz figured out a way to not reduce the amount of pipe that we are videoing. The house to house inspections were not successful in past phases so we are not going to do the house to house inspections for sump pumps to save. The problem of sump pumps was discussed and Frank said the issue in phase 2 is that they were only able to get in to 11% of the houses. He thinks to solve that issue is to come up with a policy outside of Wright-Pierce to deal with it. Our ordinance is that you can't connect sump pumps into the sanitary, but there is nothing in the ordinance that says what the penalty is for doing that. As part of the policies and ordinances that we change we will have to attack that. Commissioner DeVita noted that this is something that we have to control now. Frank said how this ties into phase 4 is that right now we are paying Wright-Pierce to go house to house, but since we were only successful with 11 or 12% of the houses we have to do something. Christine Kurtz said they will work with Frank regarding literature and ways to inform people and work on the ordinance issues. She explained they will use the statistics they found in the phase 2 and phase 3

house to house inspections and apply that to the study in phase 4. She said they had 11 to 12% entry and they also got information back from additional homes. They can use that information and they use it to create the amount of flow coming from sump pumps and can use that same information in the phase 4 study.

Frank said the other thing that was part of phase 2 was smoke testing and that showed there were gutters that were tied into it and we were provided with a list. Frank said he has to come up with something to propose to the commission to consider.

Commissioner DeVita suggested letters be sent now and commissioner Pulie also suggested a town employee go out to witness the disconnection. Attorney Kokenos recapped prior discussions regarding inspections, illegal connections, signoffs and other ideas the commission suggested. Frank explained the overall issue is that when it rains really hard there is a lot of water that gets into our sanitary system. There is a threshold that we are allowed from Bridgeport and if too much water gets into our sanitary system and we go above that threshold we get fined. So, what Wright-Pierce is doing is trying to do an analysis on the system and what is cost effective to remove from the threshold. The commission also noted we are paying for treating all that water and a letter should be sent now. Suggestions and notifying homeowners with illegal sump pumps, alternatives and related information was briefly discussed.

Christine said as far as the phase 4 work, the smoke testing will occur in late July early August. Frank said later when the capital plan comes up there is work in there that he will talk about that deals with some of the recommendations for phase 2.

5. Billing Statements - Tighe & Bond and Wright-Pierce.

The commissioners reviewed the spreadsheets and account balance print out. There were no questions or comments.

6. Old Business.

Discussion: Tax department billing system. Frank said the contract is up with Computil for sewer usage and our next billing cycle is for August. He explained currently Quality Data Services does the billing for the tax department for the taxes and the sewer assessments and Computil does the sewer usage charges. We received prices from both vendors to do the sewer usage and Quality Data's price is significantly less than Computil's. He passed out copies of both contracts that he received and he pointed out on the back of each one is a cheat sheet of the summary. Basically we have roughly 9,750 users. QDS's price is approximately \$3,315.00 per quarter and Computil's is \$15,000.00 per quarter. He explained the price from QDS will also be plus postage and Aquarion readings and Computil's was also plus postage and Aquarion readings. With QDS there will also be an initial setup fee and basically that is \$5,500 to get the software program or to have 2 more licenses per software program and then there will be an allowance for training and conversion. He is requesting the Commission authorize him to request to our finance department that they execute the contract for Quality Data Services. If it is approved by the finance department we would also have to pay Computil an allowance to help with the converting to give us the data. If there is any work for that then we would have to pay them for it and that would be on a time and expenses basis at an hourly rate. If the contract with QDS gets executed then we will have to talk to Computil about getting the data and whatever assistance we need to do the conversion and there will be a fee with that. Frank explained currently QDS does the tax billing and sewer assessments for Trumbull and the way it is now we have to keep two software programs updated with our pertinent town resident information. If this is approved it will all be on one software program where it will be easier to coordinate. Frank said we currently pay approximately \$3,800 a quarter to Aquarion for their readings and that charge and postage will be the same. Frank is requesting approval to speak to the finance department to take this to the next step.

MOTION made Egri seconded Pulie to authorize Frank Smeriglio to the next steps to execute the contract with Quality Data Service, Inc. Discussion. MOTION CARRIED UNANIMOUSLY.

Mihaly v. Town of Trumbull.

Attorney Kokenos informed the Commission that the federal action has been dismissed. He said the insurance council and himself were pretty aggressive in trying to get this action dismissed. This was an action brought by the Mihaly's because the commission refused to pay an additional six figures to change a pump system to a gravity system. He gave a brief summary of the history prior to and after suit was brought and stated he provided a legal opinion to the commission. He also said he explained to the insurance company how upset the commissioners were because they were involved individually and they responded very well and filed a motion to dismiss quickly. The court basically agreed with our logic in the legal opinion and with the insurance council and it was dismissed and to date it has not been appealed. The state action is still open, but the federal action has been dismissed. Attorney Kokenos noted for the record this is being talked about out of executive session because technically it's not pending litigation anymore.

7. New Business.

Owens, Schine & Nicola.

Invoice #13300: Re: Mark IV Contract 4 Litigation - \$1,220.00.

MOTION made Egri seconded Hampford to approve Owens, Schine & Nicola invoice number 13300 in the amount of \$1,220.00. No Discussion. MOTION CARRIED UNANIMOUSLY.

Invoice #13302: Mihaly v. Town of Trumbull WPCA Sewer Assessment Appeal - \$362.50.

MOTION made Hampford seconded DeVita to approve Owens, Schine & Nicola invoice number 13302 in the amount of \$362.50. No Discussion. MOTION CARRIED UNANIMOUSLY.

Invoice #13303: Bridgeport Regionalization Sewer Agreement - \$11,327.00. Attorney Kokenos said this bill covers 3 months.

MOTION made Egri seconded Pulie to approve Owens, Schine & Nicola invoice number 13303 in the amount of \$11,327.00. No Discussion. MOTION CARRIED UNANIMOUSLY.

Invoice # 60819 Ury & Moskow: Contract Dispute – Town of Trumbull v. Mark 4 Construction, et al. It was pointed out the outstanding balance is \$866.25 because the Commission previously approved the \$4,189.50 balance shown on the invoice.

MOTION made Egri seconded Pulie to approve invoice number 60819 for Ury & Moskow in the amount of \$866.25. No Discussion. MOTION CARRIED UNANIMOUSLY.

Capital Plan – 2013-2014 update.

Frank suggested this be on the monthly Agenda.

The commission reviewed Wright-Pierce's Infiltration and Inflow Rehabilitation Projects Proposal for Design and Bidding Phase Engineering Services and Tighe & Bond's Construction Observation Services Sanitary Sewer Repairs Proposal.

Frank went over the WPCA capital outlay he prepared and pointed out the first two projects listed is Wright-Pierce phase 2 immediate and phase 2 recommended repairs.

Immediate repair list: As they were videoing phase 2 there were things that were broken that have to be fixed.

We have put out a town wide sanitary sewer repair bid and that is a list of bid items that deal with just about every kind of repair, pipe replacement, manhole replacement, chimney replacement, varying debts and prices associate with that. Julian Railroad Construction is the low bidder and between now and the winter we will start giving them work.

Recommended repair list: Under phase 2 of the I&I study there were leaks and manhole leaks reported. This is a bid that we have to put out to deal with those repairs. These types of repairs are completely different repairs than fixing broken pipe. We have money budgeted as part of the capital plan for this. We have to authorize Wright-Pierce to do the design spec writing for those areas and then we will put it out to bid. There are 2 types of repairs, one is pipe and manhole grouting repairs and the other is pipe line and they will put out a bid that has those 2 types of categories. He is asking the commission to approve the proposal from Wright Pierce to start that

process. Frank noted we currently have a contract with them to do the I&I study and there is language in there that says when it comes time to deal with the repairs that will be discussed further as part of the current contract. Comments from the commissioners included: moving in the right direction; you do the study and then fix the problems; this is a good thing. Frank is requesting approval.

Frank said with Julian doing work as part of the sanitary repairs there are a lot areas where we are digging down 15, 20 or 25 feet. In the capital plan we have money allocated for inspections and he is asking to have an inspector out there full time. He explained he will do all the project management work, but he needs someone out there full time, so he is requesting to have Tighe & Bond's inspector on site. It would be on an hourly basis and we do have RFP 5936 for on call engineering services and up to \$50,000 is available. He is requesting authorization to have an inspector for this work.

Frank is requesting approval for Wright-Pierce and authorization for Tighe and Bond as discussed above.

Christine Kurtz noted if Wright-Pierce prepares one bid there is a \$4,000.00 savings. Frank said as the plans are developed he will make that decision at that time.

MOTION made Hampford seconded Pulie to approve the Proposal for Design and Bidding Phase Engineering Services for Wright-Pierce for the projects included. Each project individually is \$18,960.00 for a total of \$37,920.00. Discussion. MOTION CARRIED UNANIMOUSLY.

As examples for Tighe & Bond inspections Frank reviewed the capital outlay list and explained as of right now 8 chimneys have to be replaced on Roosevelt Avenue and 15 on Strobel Road. For Barnswallow Drive, Mohawk Drive, Heavenly Lane, Oxen Hill Road and Old Hollow Road there are probably five point repairs. It was noted this relates to town wide projects that are being started as part of the new fiscal year and will be charged to our capital outlay account. Frank explained when we start the point repairs and we are down 20 feet he needs a person there all the time to watch them and also because questions always come up that need immediate answers. He also said we currently have an on-call contract with them. The Commissioners confirmed that Frank will have control over how often the inspector is used.

MOTION made Hampford seconded Pulie to approve the Construction Observation Services Proposal with Tighe & Bond for a maximum budget of \$50,000.00. Discussion. MOTION CARRIED UNANIMOUSLY.

8. Executive Session.

MOTION made Egri seconded Hampford to 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 – Contract 3 and Contract 4
- Regionalization and/or re-negotiation of Bridgeport Sewer Treatment Contract

Staying for the executive session will be the WPCA Commission, Frank Smeriglio, Christine Kurtz and Attorney Dennis Kokenos. No Discussion. MOTION CARRIED UNANIMOUSLY.

At 7:53 p.m. the tape recorder was turned off, the clerk left the room and the commission went into executive session.

At 8:50 p.m. the clerk was called back into the room and the recorder was turned on.

MOTION made Egri seconded Pulie to come out of executive session and to state for the record that no vote was taken. No discussion. MOTION CARRIED UNANIMOUSLY.

MOTION made Egri seconded Hampford to reopen the June 26, 2013 WPCA regular meeting at 8:50 p.m. No discussion. MOTION CARRIED UNANIMOUSLY.

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

None.

There being no other business before the Authority,
MOTION made Egri seconded Pulie to adjourn the June 26, 2013 meeting of the WPCA at 8:51 p.m. No
discussion. MOTION CARRIED UNANIMOUSLY.

Submitted by,

Joyce Augustinsky
Clerk of the Commission