

WATER POLLUTION CONTROL AUTHORITY
Town of Trumbull
CONNECTICUT

TOWN HALL
(203) 452-5048



5866 MAIN STREET
TRUMBULL, CT 06611

MINUTES
Water Pollution Control Authority Meeting
May 27, 2015

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

Members Present:

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

Members Absent:

None

Also Present:

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

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

1. Minutes to previous meetings.

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

2. Old Business.

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

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

3. New Business.

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

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

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

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

Ury & Moskow Invoice: The commissioners reviewed the invoice.

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

4. Executive Session.

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

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

No discussion. MOTION CARRIED UNANIMOUSLY.

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

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

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

Attorney Kokenos joined executive session at 7:20.

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

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

3. New Business.

Ury & Moskow Invoice:

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

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

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

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

Submitted by,

Joyce Augustinsky
Clerk of the Commission