

WATER POLLUTION CONTROL AUTHORITY
Town of Trumbull
CONNECTICUT

TOWN HALL
(203) 452-5048



5866 MAIN STREET
TRUMBULL, CT 06611

APRIL 27, 2016
MINUTES

CALL TO ORDER: Chairman Wright called the regular meeting of the Trumbull Water Pollution Control Authority to order at 7:07 p.m.

MEMBERS PRESENT:

Jeffrey Wright, Chairman
Fred Palmieri, Vice Chairman
Paul Whetstone, Alternate
Richard Boggs, Alternate

ALSO PRESENT:

Frank M. Smeriglio, PE, Town Engineer
Dennis Kokenos, Esq. Town Attorney

MEMBERS ABSENT:

John Gray
Timothy Hampford
Laura Pulic

PUBLIC HEARING

The Chair stated the public hearing noticed for this meeting would not be opened due to the fact there are new owners of the property, the previous owners were noticed of this public hearing. Attorney Kokenos stated for the record that Mr. Smeriglio would notice the new owners of the assessment and public hearing and a new notice of the public hearing would be published.

Moved by Palmieri, seconded by Whetstone to TABLE the public hearing to the May, 2016 meeting.

VOTE: Motion CARRIED unanimously.

PUBLIC HEARING
April 27, 2016
2016 ASSESSMENT
TRUMBULL, CONNECTICUT

Pursuant to section 7-255 of the Connecticut General Statutes, the Trumbull Water Pollution Control Authority will hold a Public Hearing, on Wednesday, April 27, 2016 at 7:00 p.m. in the Long Hill Room, Town Hall, 5866 Main Street, Trumbull, Connecticut in accordance with the provisions of an Ordinance of the Town entitled, "Sewer Ordinance of the Town of Trumbull" adopted by the Town Council of the Town of Trumbull effective July 1, 1969 and Section 7-249 and Section 7-249A of the Connecticut General Statutes, Revision of 1958 as amended. Notice is hereby given that a Sewer Assessment is proposed to be levied by the Town of Trumbull on the following property:

<u>NAME</u>	<u>LOCATION</u>	<u>NUMBER</u>	<u>MAP</u>	<u>PARCEL</u>
Giacobbe Construction, LLC (or current owner)	Mohawk Drive	6	G/04	18

Dated this 7th day of April, 2016
Trumbull Water Pollution Control Authority, Jeffrey Wright, Chairman

1. Minutes to previous meeting(s):

- Moved by Palmieri, seconded by Whetstone to approve the March 23, 2016 regular meeting minutes as submitted. VOTE: Motion CARRIED unanimously.

2. Old Business: None

3. New Business:

- Owens, Schine & Nicola monthly invoices – Inv. # 14393

Moved by Palmieri, seconded by Whetstone to approve the Owens, Schine & Nicola Invoice # 14393 in the amount of \$5,532.50.

Atty. Kokenos explained this invoice represents finalization of the sewer treatment agreement with Bridgeport, preparation for the Town Council meeting and pre-trials with the judge. Attorney Kokenos stated he did not anticipate any further work from his firm on this matter and would look for direction from John Marsilio, Frank Smeriglio and the Commission on how to move forward to the next phase of the sewer treatment issue. The work Attorney Kokenos had been doing was based on the pending arbitration, negotiations, settling the agreement/contract. The Chair stated certain items would still need to be discussed in executive session. Attorney Kokenos agreed and added he expects to have the Bridgeport/Trumbull Sewer Treatment agreement for the next meeting which would become part of those minutes.

VOTE: Motion CARRIED unanimously.

- Ury & Moskow monthly invoices – None

- State of Connecticut Utility Policy – Mr. Smeriglio explained the state DOT has implemented a new policy when issuing street opening permits. They will now include the local municipality or utility in the permit process when a contractor is working on a sewer line or water line on a state road. Mr. Smeriglio explained this could be a liability issue. If the trench settles in three years, the state would usually work with the contractor and the owner of the property, now they would be bringing in the municipality. This policy went into effect a month ago. Attorney Kokenos explained the utility companies are looking into this as well, Trumbull will join them on this issue. He had spoken with the DOT and they were not aware the Town is not responsible for the lateral and is only responsible for the main. Mr. Smeriglio and Atty. Kokenos will be working together on a response letter. At this time we inspect the sewer connection, under this new policy the Town would need to inspect the backfilling as well. Atty. Kokenos explained the Town will need to consider how to protect themselves, possibly assigning an inspector regarding the backfilling, strengthening the permit process with the contractors and/or the increasing the bond. This will be on-going.

- Draft Fiscal Year 2016-2017 Clean Water Fund- Mr. Smeriglio stated the DEEP issued a Clean Water Fund Strategy program. The state lists and ranks the different towns' projects. What the state has done in the past for typical sewer pump station repairs or sewer main line repairs for I&I infiltration inflow is, if a town applied for the grant it would be approved as 20% grant and 80% loan. For the next two years the state has eliminated the 20% grant and will now offer a 100% loan. This is federal money administered by the state. Ms. Kurtz indicated to the Chair in the past, all projects funded are part federal and part state funds. The Chair had requested the amount of hard dollars the state had contributed in the past. Mr. Smeriglio stated they had issued a response letter requesting the 20% grant money be reinstated. Senator Moore wrote a letter on our behalf as well. The Town's bonding rate is approximately 3.5%, the loan interest rate would be 2%. Whether that would count towards

the Town's overall bonding is not known, that question would need to be addressed by the Finance department. There are more restrictions when using state or federal funds. The program's 20% grant is proposed to be eliminated as of the June 30th 2016. The Chair stated they may not want to consider the loan because the 1.5% savings would be overshadowed by the additional restrictions required. Mr. Smeriglio explained that this would be looked at as to what extra efforts are required for those savings. The Chair indicated he believes the Town should have as much control over their project as possible and there should be the least amount of state involvement. Mr. Smeriglio stated the state will issue another draft of this program. At that time there would be more information available. Mr. Smeriglio will make a recommendation at a later date to both this commission and finance as to whether they will apply for the funding. This commission will vote on the matter. Mr. Smeriglio will look at the cost benefit v. the state restrictions to determine whether it is worth it or not.

- Sewer Service Area- Ms. Kurtz explained one of the requirements of the state's Office of Policy Management (OPM) related to funding of any type of project is each town is to prepare a sewer service map. It is a good planning tool for commissions. Ms. Kurtz reviewed the sewer service area maps included in the packet for this meeting. The thin black lines indicate where there are sewers in Town, the sewer area with the dark area indicates what is the existing sewer service area, the area with the purple boundary are areas that are defined as future areas, (south of merit parkway). One of the goals of the map is to indicate where in the future there will be sewers. The map can also designate areas to be avoided. The rest of the areas denoted are layers associated with the state plan of conservation development map. The protected areas are to keep development out of conservation & development areas. Trumbull does not have any conservation & development areas, but does have a protected area which is indicated as the gray area on the map. Mr. Smeriglio explained the state is looking to the towns to see where they want and do not want sewers. This map is an older map and will need to be updated and approved by the commission. This commission in the future will need to decide where sewers are wanted and where they would be restricted. Ms. Kurtz, and Mr. Smeriglio will work on this and will also include P&Z. The state OPM plan is modified every 5 years. Mr. Smeriglio stated whenever there is any type of grant applied for there is a master plan that the state always looks for this will serve as the master plan. For example for roadway projects the state looks to see if there is a master roadway plan in place. This is the same type of requirement. Ms. Kurtz cannot explain the last 4 colors indicated on the map, they are state designations and will not stay on this map, those represent how the department prioritizes the funding. This commission will need to consider where and how much more areas will be sewer in town. During the review process the commission will need to consider how much flow there will be and how much more cost to treat that flow. The map has been a requirement of OPM for the last 10 years. Ms. Kurtz stated this may be the first attempt at the map. Ms. Kurtz and Mr. Smeriglio will be working on the map and will ultimately be brought to this commission for their approval. There will be input from the Health Department as to whether there are any septic issues in certain areas. This map represents information taken from an old map and will be updated for the commission's approval.

- Various Sewer Improvements at Jog Hill Area-

4. Executive Session: Moved by Wright, seconded by Palmieri to close the regular meeting and ENTER 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

VOTE: Motion CARRIED unanimously.

At 7:37 p.m. the tape recorder was turned off and the clerk left the room. The WPCA entered into executive session at 7:37 p.m. with WPCA commissioners, Chairman Jeff Wright, Vice-Chairman Fred Palmieri, Richard Boggs, Paul Whetstone, Town Attorney Dennis Kokenos, Town Engineer Frank Smeriglio, P.E. and Christine Kurtz of Wright Pierce.

The clerk was called back to the meeting and the recorder was turned back on at 8:55 p.m.

Moved by Wright, seconded by Palmieri to end executive session and open the regular meeting. VOTE: Motion CARRIED unanimously.

The WPCA ended executive session and opened the regular meeting at 8:55 p.m. The Chair noted for the record no vote was taken during executive session.

Palmieri moved, seconded by Whetstone to authorize Attorney Kokenos as a representative of this body and the Town of Trumbull, to notify counsel at Saint Joseph's Manor they have an additional 60-day window to negotiate the possible agreement they are working on currently.

VOTE: Motion CARRIED unanimously.

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

There being no further business to discuss and upon motion made by Palmieri, seconded by Whetstone the WPCA adjourned by unanimous consent at 8:57 p.m.

Respectfully Submitted,

Margaret D. Mastroni, Clerk