

WATER POLLUTION CONTROL AUTHORITY

Town of Trumbull

CONNECTICUT

TOWN HALL
(203) 452-5048



5866 MAIN STREET
TRUMBULL, CT 06611

Minutes

Water Pollution Control Authority December 16, 2009

In attendance:

George Biagioni, Chairman
Paul Kallmeyer
Janine Salvey
Jack Goncalves
Don Aiello
Karen Egri, Alternate
Tim Hampford, Alternate

Also In Attendance:

Joseph Solemene, W.P.C.A. Coordinator
Clair Garard, Public Works Inspector

Chairman Biagioni called the meeting to order at 7:30 p.m.

MINUTES TO PREVIOUS MEETING:

- **Motion (KALLMEYER) seconded (AIELLO) to approve the minutes of the November 18, 2009 meeting with the following change: Page 2, Invoice Approval, change 15% to 115%, to read *Commissioner Kallmeyer advised Mr. Solemene and Mr. Garard to watch the quantities and when it gets to 115% you might want to renegotiate the price.* No discussion. Motion carried unanimously.**

PROGRESS REPORT:

The following report given by Clair Garard, Public Works Inspector:

Three main line crews continued to work on the Contract. Richie's crew completed approximately 250 LF on Golden Hill. Slow going 24 feet of solid rock. Mario completed North Street from Shelton Road west to Butternut Lane. Able completed St. John's cross country easement. This was a long stretch from St. John's Drive to Hilltop Circle also in lots of rock.

One lateral crew completed remaining laterals on Woodcrest Avenue, Briarwoods Terrace and Gingerbrook Drive.

Temporary pavement – completed Shelton Road, Briarwoods Terrace, Wheeler Drive, Woodcrest Avenue and remaining section of St. John's Drive.

Drilling crews – one rig on Lobsterback Road, Tory Lane, Hilltop Drive and Hilltop Circle.

Easements: signed agreement with Modern Developers for Parcel 9 Shelton Road two weeks ago. Two easements remain – Lot 0 Golden Hill and Parcel 147 Teeter Rock Road. Joe met with new Town Attorney, should have a report for next meeting.

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First Selectman Tim Herbst arrived. Chairman Biagioni went out of order of the agenda. The following topics were discussed:

Jog Hill Project

Mr. Solemene asked Mr. Garard to explain cracking of the paving on the Jog Hill sewer project. Mr. Garard explained that if you pave a bad road prior to a harsh winter you get a bad road back. If you mill and pave, it is a time delay before the cracking begins. The First Selectman stated it would be more appropriate to have this conversation when he meets with the WPCA administrative staff next week.

Audit of Jog Hill Costs

Mr. Herbst stated he indicated to Mr. Solemene and Mr. Del Vecchio when they met this afternoon, the Jog Hill Project is of concern to him and all the residents who were affected by it. As First Selectman, he is concerned as we embark upon this new phase in the Nichols area, that we avoid any of the problems that we might have had with the District 1 sewer project. In May it was originally communicated to the residents that there would be an independent audit of the project. It was later changed to the Finance Director spearheading the audit and it would be done internally. Mr. Herbst does not agree and will be commissioning an independent audit of this project. Commissioner Kallmeyer stated the Commission has received an audit proposal from RSM McGladrey. Mr. Herbst asked for a copy of the proposal. Mr. Herbst will meet with Mr. Solemene, Mr. Del Vecchio and Mr. Garard next week to go over some of the more specific issues related to the District 1 project and hopefully we can make sure this current project goes smoother.

Town Attorney

Chairman Biagioni asked if there would be a Town Attorney assigned to the WPCA. Mr. Herbst responded there will be a lawyer assigned to the WPCA, however the practice of having an attorney present at meetings will be changed. Mr. Herbst's concern is that when attorneys attend meetings, there is a tendency to inject themselves into the discussion and the debate of the commission. He believes that is inherently wrong, especially if the commission is ever sued for an action that it takes, and an administrative record has to be produced, he does not want the comments of legal counsel at hearings to be used in any way to advance an adverse position against the Town. Mr. Herbst suggested that if there is a controversial item on the agenda, the presence of counsel will be necessary. The Chairman can communicate with the First Selectman's office or with Joe Solemene as to when he believes legal counsel will be needed. They will be at Joe's disposal on a daily basis as needed.

Bridgeport Contract

Commissioner Kallmeyer discussed the contract renewal with the City of Bridgeport. We have three years to renegotiate the contract and suggested hiring outside counsel. Last time it took seven years to negotiate the contract. Mr. Herbst stated there are three options: build our own treatment plant, regionalize with Bridgeport and Monroe, or build our own plant and regionalize with Monroe. Mr. Herbst stated this is a big cost no matter what plan we go with and before we bond, he wants to make absolutely sure we have an understanding of the cost/benefit analysis and that whatever plan we go with is in the best interest of Trumbull taxpayers. Mr. Kallmeyer agreed and added we must begin the negotiation with Bridgeport as soon as possible, and suggested we need an attorney dedicated to this and should be someone who understands regional rate-making.

Sewer User Fees

Sewer user fee modifications were discussed. Commissioner Kallmeyer stated sewer user billing started as a flat rate. Empty nesters and senior citizens complained they were paying the same rate as larger families. After the agreement with Bridgeport, billing changed to a user fee system based on water consumption reported by Aquarion. After the first summer of lawn watering, the bills went up and they argued that water is not going into the sewer. The contract with Bridgeport states that anything going into the sewer we have to pay for. The cost of the summer watering is spread out to all the users. Commissioner Kallmeyer stated the only way to solve the problem is to phase out the current method over the next two to three years, educate the public that you must install a separate water line for irrigation systems. Mr. Herbst asked for a written report on the subject.

The Commission returned to the regular agenda.

INVOICE APPROVAL:

Changes to invoice requested by Commissioner Kallmeyer were made. S1 moved to page 6, page 8 eliminated; sum of change orders from page 7 placed on page 6. New page 6 will now be a complete summary of the invoice. New pages 6 and 7 to be inserted into Application #4.

Mark IV Construction Co., Inc., Phase IV, Part B – Contract 4 – Huntington Road, Application #5 in the amount of \$26,965.77. Per Clair Garard job is 100% complete.

- **Motion (KALLMEYER) seconded (GONCALVES) to approve for payment Application #5, Phase IV, Part B - Contract 4 – Huntington Road, in the amount of \$26,965.77, final payment. No discussion. Motion carried unanimously.**

Mark IV Construction Co., Inc., Phase IV, Part B – Contract 4 – North Nichols Project, Application #4 in the amount of \$936,696.20. Cost of traffic men questioned: October 12, holiday pay for Columbus Day and numerous instances of overtime. Mr. Garard explained that crews worked several times until 8:00 to get a pipe or manhole in.

- **Motion (KALLMEYER) seconded (AIELLO) to approve for payment Application #4, Phase IV, Part B – Contract 4, North Nichols Project, in the amount of \$936,696.20. No discussion. Motion carried unanimously.**

Change Orders

Change Order #6 (\$1,180) – furnished storm drainage that required removal and replacement to facilitate installation of sanitary laterals; Change Order #7 (\$520) – relocate and core drill manhole SJ-4 and construct drop; Change Order #8 (\$3,010) – installed eight linear feet of 15” CPP at Sta. 9+60 Briarwoods Terrace.

- **Motion (KALLMEYER) seconded (AIELLO) to approve Change Orders 6, 7 and 8 as presented. No discussion. Motion carried unanimously.**

OLD BUSINESS:

11/20 Meeting with Finance regarding bonding (59) account

Commissioner Kallmeyer reported on the meeting attended by himself, Chairman Biagioni, Mr. Solemene and Bob Verna along with Jen Mazzuocolo and Scott Bassett of RSM McGladrey, and Maria Pires, Acting Director of Finance. The basic goals are: lack of management information to better conduct WPCA business; how the fund balance relates in some meaningful way to the WPCA; and what is the actual value of the 59 fund. The will be movement in the fund because there is \$44,495,000 +/- in bonds payable. Also, there are approximately 9,000 houses that have all been assessed \$500 (\$4.5 million) that belongs to the WPCA. Commissioner Kallmeyer quoted State Statute 7-267 which states that all charges that the WPCA makes are for the sewer purpose “and for no other purpose.” There are no answers yet, but they will get back to us with a report. We cannot let up on this and have to continue to find out what is exactly in the 59 account.

A financial report of the retained earnings (20) account was promised by the Finance Department for the December meeting. The Commission asked Mr. Solemene to request the report from Maria Pires and email it to the members as soon as possible.

12/4/ Meeting with Wright-Pierce

Commissioner Kallmeyer handed out a list of basic talking points discussed at the meeting with Wright-Pierce. Attendees included Mr. Kallmeyer, John Del Vecchio, Joe Solemene, and John Braccio and Mario Jedrychowski representing Wright-Pierce. Mr. Braccio stressed we have to know the macro cost of moving the west side sewage to the Quarry Road area. Mr. Del Vecchio made the point that since this is a 100 year decision, the capital cost while it might seem very high, won't be high over the long run. Discussed out of town flow and the need to nail

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that down. Sewer service area must use the State's Plan of Development – this is key, the State uses this to make decisions. Discussed reserve capacity. Once you design a new treatment facility based on the current law, you have to have sufficient reserve so that you never overflow. Commissioner Kallmeyer distributed copies of the Wright-Pierce proposal. The contract is on an hourly basis with an amount not to exceed \$85,000.

- **Motion (KALLMEYER) seconded (SALVEY) to approve the Wright-Pierce contract subject to review of the Town Attorney or other appropriate staff. No discussion. Motion carried unanimously.**

NEW BUSINESS:

Audit of Contract 3 Assessment Costs

Commissioner Kallmeyer looked over the proposal by RSM McGladrey and stated it is a time and materials contract with no upset limit. Mr. Solemene will go back to them for an upset limit. Commissioner Kallmeyer will call Wright-Pierce for help in writing an RFP of an audit of a sewer job.

Election of Officers

- **Motion (GONCALVES) seconded (SALVEY) to nominate George Biagioni as Chairman. No discussion. Motion carried unanimously.**
- **Motion (SALVEY) seconded (GONCALVES) to nominate Paul Kallmeyer as Vice Chairman. No discussion. Motion carried unanimously.**
- **Motion (KALLMEYER) seconded (AIELLO) to nominate Janine Salvey as Secretary. No discussion. Motion carried unanimously.**

There being no other business before the Authority,

- **Motion (AIELLO) seconded (GONCALVES) to adjourn. No discussion. Motion carried unanimously.**

The meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Jenny Francese
Clerk of the Commission