

WATER POLLUTION CONTROL AUTHORITY

Town of Trumbull

CONNECTICUT

TOWN HALL
(203) 452-5048



5866 MAIN STREET
TRUMBULL, CT 06611

Water Pollution Control Authority July 22, 2009

In attendance:

George Biagioni, Chairman
Donald Aiello, Secretary
Janine Salvey
Karen Egri, Alternate
Timothy Hampford, Alternate

Also In Attendance:

Joseph Solemene, W.P.C.A. Coordinator
Neil Lieberthal, Town Attorney

Chairman Biagioni called the public hearing to order at 7:32 p.m.

SEWER USER RATE INCREASE

Pursuant to section 7-255 of the Connecticut General Statutes, the Trumbull Water Pollution Control Authority hereby gives notice of a Public Hearing, Wednesday, July 22, 2009 at 7:30 p.m. in Council Chambers, Town Hall, Trumbull, Connecticut. A 3.5% increase in the Sewer User Fee will be proposed.

The increase is necessary to offset the City of Bridgeport's proposed 3.5% increase in Sewage Treatment costs. The Trumbull WPCA is co-dependent with the City's West Side Treatment Plant for wastewater disposal and must pass on the increase it inherited when the Bridgeport WPCA approved a 3.5% increase in the consumption rate budget for Fiscal 2009-2010.

The new rates will be reflected on the next billing cycle mailed in **August**, covering the billing period through **September**.

- **Motion (SALVEY) seconded (AIELLO) to amend the public hearing notice regarding the sewer user rate increase, from 3.5% to 1.7%.**

Discussion: Mr. Solemene explained the reason for the amendment. He received a proposed fiscal budget from the Bridgeport WPCA on March 27, 2009, with a residential user rate of \$4.29 per ccf, a 3.5% increase. On Monday the Bridgeport WPCA sent over the approved budget with a residential user rate of \$4.19 per ccf, a 1.7% increase.

Motion carried unanimously.

Chairman Biagioni asked if anyone present wished to address the Commission.

Tony D'Aquila, 29 Valley View Road

At June 24 meeting Commission approved hiring consulting firm Wright Pierce to study possibility of waste water treatment in Trumbull. Asked who is paying fee. Chairman Biagioni responded the WPCA. Mr. D'Aquila stated this is a capital expenditure. The users are supposed to pay for maintenance and operation of the system, not capital expenditures. The Town pays for 25% of the new sewer system, why are they not at least paying for 25% of the fee? Chairman Biagioni responded there is money set aside in the WPCA account for capital expenditures and

emergencies. We may have to go to the Town for money, but we don't know that yet. Mr. D'Aquila is questioning the policy. The taxpayers of this Town should pay for capital expansion of the sewer system.

Regarding the sewer user increase, Mr. D'Aquila stated he contacted the Bridgeport WPCA and was told the new rate is \$4.19 per ccf based on what the water company provides. Bridgeport uses those numbers year-round unlike Trumbull WPCA. He spoke to Peter Harris, director of finance for Bridgeport WPCA, who claims Trumbull did not call for the latest numbers, and he would call Trumbull that day. Chairman Biagioni stated we should get something in writing saying what the increase is. Mr. D'Aquila reiterated that Mr. Harris claims Trumbull is obligated to get the latest numbers and failed to do so. Mr. D'Aquila stated this is an outrage and unacceptable. Mr. D'Aquila was also told the Town of Trumbull gets a 15% discount over what the users in the City of Bridgeport pay.

Mr. Solemene asked to speak in response to Mr. D'Aquila's claims. He stated that the Bridgeport WPCA called on Tuesday, but we would have called them before the public hearing. It is as much their responsibility to notify us of the approved budget. It is wrong to assume that we would not have contacted them. Mr. Biagioni added that notification should be in writing. Mr. Solemene clarified that Bridgeport WPCA charges residents exact consumption year-round, so that people who water their lawns and fill their pools pay for sewage treatment even though that water doesn't go into the sewage treatment plant. We have a policy of averaging the summer consumption. The 13.5% savings is absorbed through the difference between actual consumption and averaging.

SANITARY SEWER EASEMENT CONDEMNATION

Pursuant to Section 7-247a of the Connecticut General Statutes, the Trumbull Water Pollution Control Authority hereby gives notice of its intention to conduct a public hearing for the purpose of acquiring, by condemnation, an easement for sanitary sewer purposes from I. Anthony Mase and/or the Estate of I. Anthony Mase. The property is located on Assessor's Map J-07, Parcel 00147000, Teeter Rock Road, Trumbull, Connecticut. The exact description of the easement shall be found in the office of the Water Pollution Control Authority, Trumbull Town Hall, 5866 Main Street.

The Trumbull Water Pollution Control Authority will conduct a public hearing on Wednesday, July 22, 2009 at 7:30 p.m. in the Council Chambers in Town Hall, Trumbull, Connecticut.

Attorney Lieberthal stated the property is in the name of I. Anthony Mase who passed away at least 10 years and the estate was never opened. The heirs have been given an order of notice by publication in the newspaper to let them know there is a condemnation. They don't really have a problem with it but there is no way to do this unless they open an estate, which is much more difficult. Attorney Lieberthal consulted with Probate Judge Chiota, who concurred. A vote is needed to approve going forward with the condemnation.

There being no questions from the Commission and no one to speak for or against,

- **Motion (HAMPFORD) seconded (AIELLO) to close the public hearing. No discussion. Motion carried unanimously.**

Regular Agenda

MINUTES TO PREVIOUS MEETING:

- **Motion (EGRI) seconded (AIELLO) to approve the minutes of June 16 and June 24, 2009 as written. No discussion. Motion carried unanimously.**

PROGRESS REPORT:

Mr. Solemene gave the following Progress Report:

Replaced 1,007 linear feet of curbing on Meadowview and Hurd Roads. Required to repair driveway damage due to milling on Daniels Farm Road, Hurd Road, Greenbrier Road, Booth Hill Road and Pambar Road.

Commissioner Aiello asked if there is any feedback from Mr. Del Vecchio regarding the cost of traffic men on the sewer construction. At the June meeting, Mr. Del Vecchio stated he would speak to the Chief of Police about the matter. Mr. Solemene responded Mr. Del Vecchio and the Chief of Police will be meeting to discuss.

Mr. Solemene reported the First Selectman's office has contacted all the residents in the Jog Hill Project. There have been very few complaints. Commissioner Salvey asked Mr. Solemene for a copy of the complaints. In addition, a meeting was held with residents regarding the condition of the paving on the project. The meeting went well and they seemed to be happy with all the answers to their questions.

INVOICE APPROVAL:

Mark IV Construction Co., Inc. – Phase IV, Part B, Contract 3 (Jog Hill) – Application #26 in the amount of \$54,688.73. Mr. Solemene stated this invoice is for replacement of 1,007 linear feet of curbing and repair of driveway damage done by milling machine. The total cost for construction is \$29,847. Total cost for traffic men is \$26,244. Mr. Solemene said this should be the last invoice for Jog Hill. Commissioner Egri asked if we are paying extra for things that should have been included in the initial cost of the project. Mr. Solemene responded that we have taken on milling of the roads, thinking that the overlay will be a better product with the milling. However, the milling machine chews up the ends of the driveways and is ending up costing in driveway repairs. In the past you would never do an apron on the upside of the hill. Normally aprons were placed just to prevent water from the street entering the driveway on the lower side. We have never before had such scrutiny over the condition of the asphalt because we never claimed to be refurbishing the roads, just doing an overlay. The overlay has been sufficient in every contract we've done until Jog Hill. We have done nothing different on this job than we've done on all the other ones. Chairman Biagioni asked for an accounting of what this added to the cost of the project. Commissioner Egri asked if there is anything different in Jog Hill that would make this happen but not anywhere else. Mr. Solemene responded no. Commissioner Hampford asked if the roads were already in bad shape. Mr. Solemene said the theme of the Jog Hill residents was that they waited 30 years for new roads, which indicates the roads we overlaid were 30 years old without having been paved at all. Chairman Biagioni asked about replacement of curbing. Are we paying for damage done by the contractor? Mr. Solemene replied on Hurd Road there was very little reveal left of the curbing so it was removed and replaced. We don't curb roads that don't have any curbing, but roads where curbing existed we replace it. The curbing was not a big ticket item, amounting to a little over \$6,000. Driveway aprons amounted to \$23,805. The most expensive item on the invoice is \$26,244 for traffic men.

- **Motion (EGRI) seconded (HAMPFORD) to approve for payment Phase IV, Part B, Contract 3, Invoice #26 in the amount of \$54,688.73. No discussion. Motion carried unanimously.**

OLD BUSINESS:

Approval of Minutes from April 22 and May 12 Meetings – Tabled from June meeting.

- **Motion (EGRI) seconded (SALVEY) to remove from the table approval of the minutes of April 22 and May 12, 2009. No discussion. Motion carried unanimously.**
- **Motion (AIELLO) seconded (SALVEY) to approve the minutes of the April 22, 2009 meeting as written. No discussion. Three in favor, two abstained (EGRI, HAMPFORD). Motion carried.**
- **Motion (SALVEY) seconded (AIELLO) to approve the minutes of the May 12, 2009 meeting as written. No discussion. Four in favor, one abstained (HAMPFORD). Motion carried.**

Senior Assessment Relief

Mr. Solemene met with the Tax Assessor and the Tax Collector. As a result, he presented to the Commission the following criteria to qualify for senior assessment relief:

1. Applicants must be eligible to qualify for a Property Tax Relief Program.
 2. The assessment relief applies to the cost of the principal only. Residents would be responsible for the bonded interest.
 3. The relief program would remain in force until the ownership of the property is transferred and the balance of the assessment would have to be paid in full at closing.
 4. All accounts must be current in order for a resident to qualify for the program after the initial lien is issued.
- Discussion followed. Chairman Biagioni indicated that eligibility for property tax relief is based on income which can change from year to year. What would happen if the next year they don't qualify? Mr. Solemene responded that the assessment relief program would remain in force until transfer of the property.

- **Motion (AIELLO) seconded (SALVEY) to approve the Senior Assessment Relief Program. No discussion. Motion carried unanimously.**

NEW BUSINESS:

Bid Challenge

The Purchasing Agent received a letter from Manafort Brothers, Inc. challenging Bid #5795 Rebid. Attorney Lieberthal read aloud the following excerpt from Mr. Chimini's response to Manafort Brothers:

"With regard to your inquiry and issues raised in the referenced letter please be advised that after careful consideration regarding items omitted from Mark IV's bid submission for the subject bid it was determined that these items did not in fact relate to the material aspect of the bid submission. Therefore the low bid has been accepted for the subject bid by the Town of Trumbull and the W.P.C.A.

It should be noted that, as stated in the subject bid request, the "Town of Trumbull reserves the right to reject any and all proposals in whole or in part or to waive any informality or technicality, irregularity or omission if, in its judgment, the best interest of the town shall be served." Be advised that all necessary documentation shall be in place prior to the execution of any formal contract.

You may direct any further questions concerning this matter to me."

A response from Manafort has not been received. Town Attorney Schopick has recommended a law firm that deals with bid challenges.

Sewer Easement Condemnation – Map J-07, Parcel 153, Lot 0 Golden Hill Road

Mr. Solemene reported the land is owned by three brothers. One brother signed the agreement. Attorney for the other two brothers contacted Mr. Solemene and stated they do not want to sell the easement, but instead want to sell the property to the Town and value the land at \$24,000. The easement is appraised at \$6,600.

- **Motion (SALVEY) seconded (AIELLO) to approve a public hearing for the condemnation of a sanitary sewer easement at Parcel 153, Lot 0 Golden Hill Road (Rear), to be held on September 23, 2009. No discussion. Motion carried unanimously.**

PUBLIC HEARING – SEWER USER RATE INCREASE:

- **Motion (SALVEY) seconded (HAMPFORD) to approve a 1.7% increase in the residential sewer treatment cost.**

Discussion followed regarding the industrial sewer treatment cost, the flat rate, and the billing method. The Maintenance portion of the sewer user bill will remain unchanged at \$23.83 per quarter. Chairman Biagioni asked Mr. Solemene to provide monthly flow reports to the Commissioners. Mr. Solemene agreed.

MOTION WITHDRAWN

- **Motion (HAMPFORD) seconded (SALVEY) to increase sewer consumption fees across the board by 1.7%. No discussion. Four in favor, one abstained (AIELLO). Motion carried.**

The new sewer user rates are as follows:

- Residential Billing (Per CCF) will be increased from \$4.12 to \$4.19
- Industrial Billing (Per CCF) will be increased from \$4.48 to \$4.56
- Flat Rate (Per Quarter) will be increased from \$119.00 to \$121.02

There being no other business before the Authority,

- **Motion (EGRI) seconded (HAMPFORD) to adjourn. No discussion. Motion carried unanimously.**

The meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Jenny Francese
Clerk of the Commission