

WATER POLLUTION CONTROL AUTHORITY

Town of Trumbull

CONNECTICUT

TOWN HALL
(203) 452-5048



5866 MAIN STREET
TRUMBULL, CT 06611

Water Pollution Control Authority September 23, 2009

In attendance:

George Biagioni, Chairman
Jack Goncalves, Vice Chairman
Donald Aiello, Secretary
Paul Kallmeyer
Karen Egri, Alternate

Also In Attendance:

Joseph Solemene, W.P.C.A. Coordinator (7:45 p.m.)
Neil Lieberthal, Town Attorney (7:55 p.m.)
Clair Garard, Public Works Inspector (7:45 p.m.)

Chairman Biagioni called the meeting to order at 7:40 p.m.

- **Motion (GONCALVES) seconded (AIELLO) to go out of order of the agenda to New Business, Item #2. No discussion. Motion carried unanimously.**

72 Sunnydale Road, Bridgeport

Leonard Giacobbe of Park City Construction, representing owner Michael Garafalo, stated house is on the Bridgeport/Trumbull line and has a failing septic system. Bridgeport sewer does not cross in front of house, ends at the corner of Old Town Road and Sunnydale Road. Trumbull's sewer ends approximately 100 feet away from subject septic system. Asking permission to tie into Trumbull sanitary sewer system. More than likely it will be a gravity connection. If a pump is needed, it will be on private property and maintained by the owner. Mr. Solemene stated there are other Bridgeport homes that share the Trumbull line along Old Town Road connected to the Trumbull sewer system and we would not be breaking any new ground here. Commissioner Kallmeyer asked if the connection would go in front of another residence. Mr. Giacobbe responded it may cross in front of the next residence, but that residence is tied into Trumbull sewers already.

It was decided to delay the Public Hearing until the Town Attorney arrived.

Mr. Solemene and Mr. Garard arrived at 7:45 p.m.

Regular Agenda

MINUTES TO PREVIOUS MEETING:

- **Motion (EGRI) seconded (AIELLO) to approve the minutes of July 22, 2009 as written. No discussion. Four in favor, one abstention (Kallmeyer). Motion carried.**

PROGRESS REPORT:

Mr. Garard gave the following Progress Report:

Construction started on Monday, September 21st. Started off Huntington Road with three main line crews. One crew is on St. John's, one on Long View Road. Chairman Biagioni asked for a written report. Mr. Solemene replied that there is not a written report this month, it has only been a week and Clair would be able to answer any

questions and give a brief description of where we started and how far we've gone. Chairman Biagioni ended the progress report and instructed Mr. Solemene to mail a progress report to the Commissioners. Mr. Solemene stated that in the future he would include the progress report along with the invoice, in advance of the meeting.

Commissioner Kallmeyer stated he noticed a crew in Mischa Brook Park. Mr. Garard replied it is a clearing crew. Mr. Kallmeyer asked if anyone met with the people who live at the corner of Booth Hill Road and Mischa Hill Road. Mr. Garard replied that he met with anyone who had questions while he was out at the site. Mr. Kallmeyer stated these people were very adamant about us going through the Park. They live at the southwestern corner of the Park where Booth Hill meets Mischa Brook. Mr. Kallmeyer had committed to talking to them before going in there. Mr. Solemene said he has not received any phone calls from them.

INVOICE APPROVAL:

Chairman Biagioni asked if Application #4 is the final invoice for Huntington Road. Mr. Solemene replied yes. Chairman Biagioni asked about the \$71,705 in changes orders. Mr. Solemene replied that was due to State mandated change orders, including temporary paving not budgeted. Mr. Garard added the State insisted we run a main line and sink a manhole off of Garnet Place. Originally we were to go in about 40 feet but the State required we go to the next manhole by design. Chairman Biagioni stated that Huntington Road is part of Contract 4 and assumes that some of this cost is in the bid. Mr. Garard stated this section was pulled out of the prints, therefore not part of the bid. Mr. Solemene indicated Application #5 includes the low bid on Phase IV, Part B, Contract 4 combined with the total cost of the Huntington Road job. The Commissioner expressed their confusion. Mr. Solemene explained that he felt Huntington Road is part of Contract 4 and when it comes time for the assessments, that cost has to be included. Application #4 is for work that was done on Huntington Road and Application #5 is for work done on other streets in Contract 4.

The Commissioners next questioned the difference of \$167,000+ between Line #3 Contract Sum to Date and Line #4 Total Completed & Stored to Date on Application #4. Mr. Solemene believed it was a mistake.

Commissioner Kallmeyer suggested Huntington Road and the balance of Contract 4 invoices be kept separate. The Commissioners agreed. The Commissioners also requested Application #4 be labeled Huntington Road and Application #5 be labeled North Nichols in all future invoices and that Application #5 now become Application #1, and that revised invoices be issued. Mr. Solemene agreed and will mail revised invoices to the Commissioners.

- **Motion (KALLMEYER) seconded (GONCALVES) to approve for payment Application #5, Phase IV, Part B - Contract 4, in the amount of \$163,547.23, subject to the receipt of a revised application. Revisions to include: change to Application #1, add the words "North Nichols," and the original contract sum will be the bid price of \$24,902,073.29. Quantities will not change. No discussion. Motion carried unanimously.**
- **Motion (GONCALVES) seconded (KALLMEYER) to table approval of Application #4. No discussion. Motion carried unanimously.**

Attorney Lieberthal arrived at 7:55 p.m.

The Commission returned to the Public Hearing. Chairman Biagioni read the public hearing notice aloud.

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, the following easements for sanitary sewer purposes:

- *Assessor's Map J-07, Parcel 00153000, Lot 0, Golden Hill (Rear), Trumbull, Connecticut – Owners: Stephen C. Bombero, Sr., Thomas F. Bombero and Ronald M. Bombero, Sr.*
- *Assessor's Map K-08, Parcel 00009000, Lot 0, Shelton Road, Trumbull, Connecticut – Owner: Modern Developers, Inc.*

- *Assessor's Map K-08, Parcel 00150000, Lot 6, Briarwood Terrace, Trumbull, Connecticut – Owner: Frances Barvenik*
The exact descriptions of the easements shall be found in the office of the Water Pollution Control Authority, Trumbull Town Hall, 5866 Main Street, Trumbull, Connecticut.
The Trumbull Water Pollution Control Authority will conduct a public hearing on Wednesday, September 23, 2009 at 7:30 p.m. in the Council Chambers in Town Hall, Trumbull, Connecticut.

Owner Tom Bombero addressed the Commission regarding Parcel 153, Lot 0 Golden Hill (Rear). He stated parcel has been in Bombero family for 70 years. Mr. Bombero and his brothers are now the stewards looking after the family interest. Mr. Bombero and the Commissioners looked over the easement map. Mr. Bombero questioned the appraisal, saying it is based on the number of square feet of the easement. He also stated there are three houses in front of his property that would require easements to connect to the sewer line in the easement. Mr. Garard stated those houses would connect to the sewer line on Golden Hill. Mr. Bombero stated they don't want an easement going through their property, they prefer the W.P.C.A. purchase the entire parcel. Attorney Lieberthal reiterated what he hold the Bomberos' attorney; we will condemn the piece and argue what it is worth in court. Attorney Lieberthal replied they would not do that, and only have to pay for the easement, not the whole parcel, adding this is not a building lot. There was no one else to speak on this parcel.

Chairman Biagioni moved to the second parcel, Map K-08, Parcel 9, Lot 0 Shelton Road (Modern Developers). An easement map was provided. The Clerk informed the Commissioners that the certified letter to Modern Developers was returned unclaimed and unopened. There was no one present to address the Commission regarding this parcel.

Regarding Map K-08, Parcel 00150000, Lot 6 Briarwoods Terrace (Barvenik), Mr. Solemene reported he has come to an agreement with the owner, therefore this easement will not require condemnation.

- **Motion (GONCALVES) 2nd (AIELLO) to remove Assessor's Map K-08, Parcel 00150000, Lot 6 Briarwoods Terrace from the Public Hearing because it has been settled. No discussion. Motion carried unanimously.**
- **Motion (KALLMEYER) 2nd (GONCALVES) to close the public hearing. No discussion. Motion carried unanimously.**

OLD BUSINESS:

Manafort Brothers Bid Challenge:

Mr. Solemene reported the Purchasing Agent responded to Manafort Brothers stating the challenge had no merit. Commissioner Egri asked if we have any obligation to do anything else. Attorney Lieberthal stated it is up to Manafort to bring a challenge. We have answered through our Purchasing Agent and as far as we are concerned the issue is dead.

Vote on easement condemnation, Parcel 147 Teeter Rock Road:

Item from July public hearing, no vote taken at meeting.

- **Motion (KALLMEYER) 2nd (GONCALVES) to approve the condemnation of the sanitary sewer easement at Parcel 147 Teeter Rock Road. No discussion. Four in favor, one abstention (Egri). Motion carried.**

PUBLIC HEARING:

- **Motion (KALLMEYER) 2nd (GONCALVES) to approve the condemnation of the sanitary sewer easement at Assessor's Map J-07, Parcel 00153000, Lot 0 Golden Hill (Rear). No discussion. Four in favor, one abstention (Egri). Motion carried.**

- **Motion (KALLMEYER) 2nd (AIELLO) to approve the condemnation of the sanitary sewer easement at Assessor's Map K-08, Parcel 00009000, Lot 0 Shelton Road. No discussion. Four in favor, one abstention (Egri). Motion carried.**

NEW BUSINESS:

Peter Bruchansky, P.E., R.S. - Requesting permission to connect 5507 & 537 Hawley Lane, Stratford to the Trumbull Sewer System.

Applicant not present. Mr. Solemene suggested the item be tabled.

Commissioner Egri asked Mr. Solemene to provide a list of non-Trumbull residents connected to the Trumbull sewer system.

- **Motion (EGRI) 2nd (KALLMEYER) to table the item until the October meeting.**

MOTION WITHDRAWN

The Commissioners discussed delaying the application. Commissioner Egri wanted more information. Commissioner Goncalves said he believes this application is an IHOP to be constructed near the Big Y in Stratford. Mr. Solemene said the Big Y is not connected to Trumbull sewers. Commissioner Kallmeyer said there are Trumbull businesses in that area connected to the Stratford sewers. The Commissioners instructed Mr. Solemene to contact Mr. Bruchansky and have him go to the Stratford WPCA for a more global solution for Hawley Lane and Silver Lane. This item will be continued at the next meeting.

72 Sunnydale Road, Bridgeport

- **Motion (KALLMEYER) 2nd (GONCALVES) to approve a public hearing for the request by Michael Garafalo to connect 72 Sunnydale Road, Bridgeport, to the Trumbull sanitary sewer system. Discussion followed. Two in favor (Kallmeyer, Goncalves), one opposed (Aiello), two abstentions (Biagioni, Egri). MOTION CARRIED.**

The Commission instructed Mr. Solemene to ask the applicant for an alternate plan in the event the application is denied.

Gutter Milling

Chairman Biagioni stated that if driveway aprons are destroyed during gutter milling, the Commission should not have to pay the cost for repairs. Mr. Solemene asked Mr. Garard if milling can be done without damaging driveway aprons. Mr. Garard replied Garrity Asphalt Reclaiming, the State low bidder, was used on the Jog Hill gutter milling, and their method of milling caused damage to driveways. On North Nichols, a Mark IV subcontractor will be used and Mark IV will be responsible for any driveway damage.

Enterprise Fund Balance

Chairman Biagioni referenced an email from Bob Verna regarding the Enterprise Fund balance. Commissioner Egri read the following excerpt from the email: "Lynn/Maria have agreed that they will start to prepare a quarterly #20-Sewer Enterprise Operating Fund financial statement, easy to comprehend but useful for WPCA commission members and Town sewer managers. This will start at the end of the 1st quarter, September 30."

Cost of Traffic Men

Chairman Biagioni referred to the June meeting when Mr. Del Vecchio stated he would meet with the Chief of Police regarding the high cost of traffic men. Mr. Solemene will remind Mr. Del Vecchio that the Commission is waiting for a report on the meeting.

Unit Charge

The Commission discussed the \$500 unit charge for each home assessed in the sewer project, and that the total of the unit charge in each sewer project should be deposited in the Enterprise Fund. Commissioner Kallmeyer explained that the \$500 unit charge is a downstream maintenance cost, and if you have problems at the main pump station that is where that money for repairs is supposed to come from.

Commissioners' Request list

Commissioner Egri will email to the Commissioners and Mr. Solemene a list of items the Commission would like to receive on a regular basis before the meetings, to help the Commissioners make more informed decisions.

Email from Lynn Heim

The April 8 email from Lynn Heim that Mr. Solemene included with the agenda, regarding Huntington Road costs, will be brought up at the next meeting, to compare with Application #4.

There being no other business before the Authority,

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

The meeting was adjourned at 9:43 p.m.

Respectfully submitted,

Jenny Francese
Clerk of the Commission