

WATER POLLUTION CONTROL AUTHORITY

# Town of Trumbull

CONNECTICUT

TOWN HALL  
(203) 452-5048



5866 MAIN STREET  
TRUMBULL, CT 06611

## MINUTES

### Water Pollution Control Authority November 17, 2010

In attendance:

Jeanine Maietta Lynch, Chairman  
Paul Kallmeyer, Vice Chairman  
Ennio DeVita  
Laura Pulie  
Jack Goncalves  
Karen Egri, Alternate (not voting)  
Timothy Hampford (not voting)

Also In Attendance:

Joseph Solemene, Assistant WPCA. Administrator  
Stephen M. Savarese, PE/LS, Town Engineer  
Dennis Kokenos, Esq., Town Attorney  
Fred Mascia, Tighe & Bond, Project Manager  
John Block, Tighe & Bond, Principal-in-charge

The following is a brief summary of the meeting. A recording was made on tape and is on file in the office of the WPCA/Town Engineer, Town Hall, Trumbull, CT.

Jeanine Maietta Lynch, Chairman, called the meeting to order at 8:25 p.m. at Frenchtown School  
The Vice Chairman acknowledged the residents in attendance and invited them to speak.

MOTION made (Lynch) 2<sup>nd</sup> (Kallmeyer) to open the regularly scheduled meeting of the WPCA for November 17, 2010 at 8:25 p.m. at Frenchtown School. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

The Chairman stated that some of the agenda items relating to people in the audience would be moved up.  
MOTION made (Lynch) 2<sup>nd</sup> (Goncalves) to move Old Business, 495 Hawley Lane – sewer connection up on the agenda. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

**OLD BUSINESS:**

495-Hawley Lane – sewer connection:

Robert Camillo of OWI contractors was present and requested to tie laterals into sanitary manhole in Trumbull for his project at 495 Hawley Lane, Stratford. He stated the Stratford manholes are located over 700 feet away which causes a hardship. Attorney Kokenos stated he reviewed the contract between Trumbull and Bridgeport and it would be allowable if Bridgeport and Trumbull are in agreement and Mr. Camillo was made aware of these terms. Mr. Camillo stated they delivered the engineered drawings to Bridgeport WPCA for review and he is requesting an approval from Trumbull subject to an agreement from Bridgeport. Discussion also took place regarding the location bordering the two Towns. If the connection is approved by Bridgeport and Trumbull it would be assessed by the Town of Trumbull. Attorney Kokenos advised Mr. Camillo that a written authorization from Bridgeport is required.

The Commission indicated it is willing to keep dialog open between Trumbull and Stratford.

## **Water Pollution Control Authority**

**November 17, 2010**

MOTION made (Pulie) 2<sup>nd</sup> (Kallmeyer) to approve the 495 Hawley Lane sewer connection to the Town of Trumbull sanitary sewer as shown on the plan that was submitted contingent upon the following conditions:

- connection be authorized and approved by the City of Bridgeport WPCA;
- be limited to the roads that are shared with the adjacent Towns such as Hawley Lane where the Town line bisects Hawley Lane;
- assessment to the Town of Trumbull.

Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

### **NEW BUSINESS:**

MOTION made (Lynch) 2<sup>nd</sup> (Kallmeyer) to move the agenda item of new business, Michael Lipnicki – 131 Fern Circle up on the agenda. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

#### Michael Lipnicki – 131 Fern Circle.

Michael Lipnicki was present and submitted a map into the record. He went over the map pointing out his property and the property across the street from him at 130 Fern Circle. Discussion took place regarding these properties being included in the North Nichols Project and not included in the prior project from the 1990's. He requested to be removed from the North Nichols Project and be allowed to connect into the 1990 sewer project. He also wants to be assessed at the 1990 pricing of about \$7,600.00 and receive any credit that would have been given at that time. He said to connect now will require the installation of a pump system. The issue of whether or not he should have been included in this Project, prior pricing, pumps and procedures were addressed. The laterals were put in a few months ago and different options were discussed.

Trisha McMahon, 130 Fern Circle was also present and gave a brief history. She discussed the stream that runs across her property and septic system and sewer options. She told the Commission what she wants regarding sewers and hooking up. Discussion took place regarding pump systems, elevations, pricing and what was available in the 1990's. Additional data is needed and both homeowners want to be put on next month's agenda.

MOTION made (Kallmeyer) 2<sup>nd</sup> (Pulie) that 131 Fern Circle be allowed to connect with a 1991 assessment and the assessment will also include the current cost of the new lateral, the connection charge will be \$500.00, the same that was applied in 1991, and the residents would be responsible for 100% of the pump system.

Commissioner Kallmeyer withdrew the motion and Commissioner Pulie withdrew the second and vote was taken to withdraw. ALL IN FAVOR. MOTION TO WITHDRAW MOTION CARRIED UNANIMOUSLY.

The Chairman moved the discussion on laterals up on the agenda

### **OLD BUSINESS:**

#### Laterals: 93 Skyview Drive

Fred Mascia submitted a summary comparison regarding Mark IV's pricing for laterals from last month's meeting. He went over the scenario regarding 93 Skyview Drive and said the inspector told Mark IV to put it in the wrong location. Owen Evans, owner of 93 Skyview Drive was present and thanked the Commission.

MOTION made (DeVita) 2<sup>nd</sup> (Kallmeyer) to approve new location of lateral at 93 Skyview Drive. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

MOTION made (Lynch) 2<sup>nd</sup> (Pulie) to come back to the remaining lateral discussion at a later time on the normal agenda. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

## **Water Pollution Control Authority**

**November 17, 2010**

MOTION made (Lynch) 2<sup>nd</sup> (Kallmeyer) to move up on the agenda new business Attilio Marini – 6540 Main Street – sewer connection – lateral extension on the Agenda. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

### Attilio Marini, 6540 Main Street – sewer connection – lateral extension:

Mr. Marini was not in attendance and the Chairman withdrew the motion moving Marini on the Agenda.

MOTION made (Lynch) 2<sup>nd</sup> (Pulie) to withdraw previous motion. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

### Laterals: 47-49 Old Green Road

Michael Mendick, 49 Old Green Road was present and requested information about a pump system including cost and location. He was informed the cost is \$3,500.00 on top of the assessment. He stated a lateral for his property is not on the plans and he gave a summary of his dealings with the Town and prior information he received. Fred Mascia explained the difference in costs in relation to connecting from Old Green Road or Huntington Turnpike and the different connection options. A pump system may be the most cost effective way and what would be necessary was addressed. Discussion took place concerning the issue of whether it is one lot or two. Mr. Mendick said he wants to know what he can do and he wants somebody to come to the site, go through it with him, explain about a pump system and where it would be coming off of. Commissioner DeVita offered to go and meet with him.

### Laterals: 40 Green Ridge Road

Fred Mascia went over pricing and change in location was discussed. The homeowners requested the change after the T/Y was installed and decided it was not where they wanted it to be. Costs for this relocation were discussed. The Commission decided if the homeowners want it moved they would have to pay \$2,000.00 in advance. The \$2,000.00 comes from the Tighe & Bond estimate for the additional T/Y, drilling mobilization, drilling and the pre-blast survey which adds up to over \$2,200.00. The homeowners have the option of keeping the location of the existing T/Y. Fred Mascia stated they will inform the homeowners that we will put the lateral in the new location, but they are going to have to pay the increased cost the Commission would incur.

MOTION made (Kallmeyer) 2<sup>nd</sup> (Goncalves) to allow the alternate lateral for 40 Green Ridge Road on the condition that the resident pays in advance \$2,000.00. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

## **MINUTES TO PREVIOUS MEETINGS:**

October 27, 2010 the following corrections were requested: Page 3, second to last paragraph it says “return of \$100.00 remaining retainage” should say “\$100,000.00”.

MOTION made (Kallmeyer) 2<sup>nd</sup> (Lynch) to approve the Minutes of the October 27, 2010 as amended. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

## **PROGRESS REPORT:**

Fred Mascia stated based on main line sewer installed to date the project is 61.5 percent complete. He gave a brief synopsis of the progress of Mark IV's crews and what is expected during the winter months. He will get an updated scheduled from Mark IV. He also said a DEP inspector came out on October 28<sup>th</sup> to inspect the plans and site.

## **INVOICE APPROVAL:**

Mark IV Construction Co., Inc., Phase IV, Part B – Contract 4 – North Nichols Project, Application #15 in the amount of \$350,515.04. Fred Mascia stated Mark IV has cut back and that is reflected in the invoice amount.

Police, traffic, safety procedures and costs were addressed and the Chairman will follow-up with the Director of Public Works and the Police.

**Water Pollution Control Authority**

**November 17, 2010**

Motion made (Pulie) 2<sup>nd</sup> (Goncalves) to approve application number 15 in the amount of \$350,515.04. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

**OLD BUSINESS:**

**Merritt Boulevard – Report from Town Attorney Dennis Kokenos**

Dennis Kokenos stated he spoke with the property owner and he provided Attorney Kokenos with a copy of the map that was given to him by the Town showing “ug” (which means underground) along the line. Attorney Kokenos also obtained and reviewed a copy of a map from the UI that shows an underground junction box. It appears this was negotiated to go underground and which gives the Commission no choice. Issues regarding bids, pricing and costs were addressed and Fred Mascia stated they went through the change order request and most of the cost is electrical subcontractor.

The Chairman stated for the record the following: The Commission has made extensive efforts to confirm whether or not the easement, with respect to this property, was to be underground or overhead which if it was overhead would have saved a substantial amount of money. The Commission also asked Attorney Dennis Kokenos to confirm and negotiate with the landowner to see if we could do this overhead or a combination thereof. The landowner was adamant with respect to his original agreement with the Town of Trumbull and produced easements showing all underground which was presented to him by the Town. The Commission has no choice but to accept the underground easement and the actual costs associated with that. The Commission asked Tighe & Bond to go over the cost to confirm that they are reasonable and customary for this type of change order and they’ve agreed.

MOTION made (Lynch) 2<sup>nd</sup> (Pulie) to approve change order R-14 dated May 12, 2010 additional costs for pump station as a result of changes as shown on change order request in the amount of \$169,716.32 and in relation to it is also R-15 shown on the same change order request in the amount of \$6,027.91. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

**Discussion – status of audit of the 59 and 20 accounts:**

Commissioner Egri will follow-up and report back at the special meeting on December 1, 2010.

**NEW BUSINESS:**

**Attilio Marini, 6540 Main Street – sewer connection – lateral extension:**

Mr. Marini was not at the meeting.

MOTION made (Goncalves) 2<sup>nd</sup> (Lynch) to table Attilio Marini, 6540 Main Street – sewer connection – lateral extension. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

**Bennigans – Westfield Mall WPCA approval to write off \$22,821.40 uncollectible sewer usage bill:**

Attorney Kokenos stated Bennigans was a tenant of Trumbull Mall and the owner went under and collection against the owner is not going to happen. Discussion took place regarding sewer usage billing procedures. This is a sewer use lien and he believes it runs with the land and he will tell the Tax Collector to send a demand letter to the Trumbull mall. He will also inform the Tax Collector’s office that no sewer use fees can be changed to the name of a tenant they have to stay in the name of the current owner.

**CHANGE ORDERS:**

**Mark IV – Change Order R-26 from September 9, 2010, 261 Unity Road – ¾” stone for trench drain \$3,100.00.**

Fred Mascia said this was for foundation stone for a curtain drain that Mark IV put in. The drain portion was previously denied by the Commission.

MOTION made (Pulie) 2<sup>nd</sup> (Lynch) to deny change order R-26 in the amount of \$3,100.00. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

**Water Pollution Control Authority**

**November 17, 2010**

Mark IV – Change Order R-27 November 5, 2010, Shelton Road – temporary pavement markings \$2,012.50.

Fred Mascia stated this is similar to what the Commission paid for the lower portion of Shelton Road. Currently there are no markings on the temporary patch. It was questioned if it should be covered under maintenance and protection of traffic. In January, 2010 the Commission approved payment of \$1610.00 for the lower portion of Shelton Road painting. Discussion took place regarding using regular pain instead of epoxy.

MOTION made (Kallmeyer) 2<sup>nd</sup> (Goncalves) to deny change order R-27 in the amount of \$2,012.50 and suggest that the contractor simply paint the pavement markings. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Mark IV – Change Order R-28 November 8, 2010, Shelton Road – Golden Hill Road emergency trench repair \$374.01.

Fred Mascia stated this was requested by the PDW on a Saturday.

MOTION made (Goncalves) 2<sup>nd</sup> (Kallmeyer) to approve change order R-28 in the amount of \$374.01. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Mark IV – Change Order R-29a November 10, 2010, MacDonald Road down time due to unsuitable material in trench and Change Order R-29b MacDonald Road removal of unsuitable material and placement of foundation stone.

Fred Mascia explained that Mark IV found unsuitable material and had to stop work and wait for an answer from Tighe & Bond's geo-tech engineers and he feels this charge is justified. The charges are for down time and to over excavate below the trench about 5 feet and build it up with blasted rock.

MOTION made (Lynch) 2<sup>nd</sup> (Kallmeyer) to approve change order R-29a in the amount of \$3,544.58 and change order R-29b in the amount of \$8,321.68. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

**EXECUTIVE SESSION:**

Retainer Agreement Moscow & Ury – Neal Moskow – Discussion of Retention RE: Contract III and return of \$100,000 retainage.

Tabled to December 1, 2010 Special Meeting.

MOTION made (Lynch) 2<sup>nd</sup> (Pulie) to close the regularly scheduled meeting of November 17, 2010 at 10:40 p.m. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Submitted by,

*Joyce Augustinsky*

Clerk of the Commission