

WATER POLLUTION CONTROL AUTHORITY

# Town of Trumbull

CONNECTICUT

TOWN HALL  
(203) 452-5048



5866 MAIN STREET  
TRUMBULL, CT 06611

**Minutes**  
**Water Pollution Control Authority**  
**Special Meeting**  
**March 31, 2010**

In attendance:

Ennio De Vita  
Jack Goncalves  
Jeanine Maietta Lynch, Chairman  
Laura Pulie  
Tim Hampford, Alternate

Also In Attendance:

Joseph Solemene, Assistant WPCA. Administrator  
Stephen M. Savarese, PE/LS, Town Engineer/WPCA  
Administrator

Chairman Lynch called the special meeting to order at 7:31 p.m.

**INVOICE APPROVAL:**

Postponed from March 24<sup>th</sup> meeting. Mark IV Construction Co., Inc., Phase IV, Part B – Contract 4 – North Nichols Project, Application #7 in the amount of \$700,959.45. Invoice signed by Accounting Manager Mark Turndahl, certifying the numbers are correct. Mr. Solemene and Mr. Savarese went over the invoice together. Mr. Savarese stated he missed the beginning of the March 24<sup>th</sup> meeting when the Commission discussed requiring his signature. Commissioner Lynch stated the Commission wanted to make sure that someone who was responsible for the project on behalf of the Town signs the invoice certifying the payment prior to going before the Commission for approval.

Mr. Savarese stated he went over the document with Clair Garard and Joe Solemene. Mr. Savarese offered a solution to the Commissioners stating the only way to verify the quantities is by survey and as-built. Let the contractor perform the as-builts and submit the physical drawings with the quantities on them that we can measure and quantify. The only way this commission can know for sure the quantities that are decided in the field are 100% accurate is by survey. Commissioner Lynch stated this is a great suggestion, but in reading the as-built provision in the contract documents, it is not beneficial to the Town. She quoted from the contract documents as follows, “the as-built records described below shall be prepared by the Contractor and submitted to the Engineer at the project completion.”

Commissioner Lynch stated an RFP for architectural and engineering services was in the Sunday Connecticut Post. Can that be the oversight for this project? Given the fact that we are bound by this contract and we need independent verification, that is the way we’re going to do it. Commissioner Lynch recommends we continue with the Public Works Inspector, the Accounting Department and the Town Engineer verifying the payment at this time.

Upon leaving at 7:49 p.m., Commissioner Hampford announced a meeting on contract negotiations with Bridgeport has been scheduled for April 14<sup>th</sup>. Commissioner Hampford left at 7:49 p.m.

Mr. Savarese stated the contractor submitted the invoice on time on March 19<sup>th</sup> and is requesting payment 30 days from the regularly scheduled meeting March 24<sup>th</sup>. The contractor states payments have been late. Commissioner Lynch stated the Commission has been approving the invoices. The issue is not with the Commission, it is with internal controls.

Specific Invoice Comments

Items 4 & 5, page 2: Water Pollution Control Soil Erosion and Temporary Sediment Control Measures

Commissioner Pulie: \$300,000 lump sum payment, \$4,500 work done this period. What was put in for \$4,500?  
Mr. Solemene: this is paid as a percentage of the contract. The Commission understood but said the contractor needs to show what work was done on each invoice.

Item 30, page 3: 8" PVC Trench Drain

Commissioner Pulie: the detail on the plan shows you take the trench drain from the sewer trench and run it off into a storm drain, whether it's a manhole or a catch basin, or you daylight it. A lot of times they are running these trench drains past manholes and catch basins, going through easements and running them hundreds of feet and daylighting it, when there is a drain right up the road that they could tap into. It seems like hundreds of feet are put in maybe unnecessarily when they have a storm drain they could connect to.

Item 68, page 5: Trench Excavation-Rock

Commissioner Pulie: You are at 42%. Quantity was originally 76,000 and was cut in half. Why was it cut in half?  
There was an addendum that reduced the quantity, and now we are going to be well over that. Mr. Solemene: we might not go over because as we are going along we are out of rock, and there won't be much rock excavation next month. Commissioner Lynch: This is an item that in the field we should be following. Commissioner DeVita: who measures and how is it measured? Mr. Solemene: our men and the contractor's men are measuring, they use the track drill to measure the rock, and we are actually measuring manually as we go along. When the total goes over 25%, we will negotiate the price.

Item 76, page 6: Restoration

Mr. Solemene stated restoration is visible and there was a lot of restoration done. Commissioner Lynch stated this is another item that needs to be watched because there seems to be a lot of flexibility on the Contractor to bill. Mr. Savarese added they will bill the same each month, it is up to us to make the Contractor perform to that lump sum number. Mr. Solemene explained this is a guaranteed item. Mr. Savarese added the Contractor is required to perform the work to our satisfaction.

After further discussion;

- **Motion made (DEVITA) seconded (GONCALVES) to approve for payment Phase IV, Part B, Contract 4 North Nichols Project, Application #7 in the amount of \$700,959.45. No discussion. All in favor. Motion carried unanimously.**

**COLUMBINE DRIVE DRAINAGE CHANGE ORDER REQUEST**

Mr. Savarese is recommending a drainage improvement on Columbine Drive knowing it is outside the scope of work of the sewer contract. There is an unmarked storm drain in the street which was encountered by the Contractor and not on the contract documents. The particular drain has one catch basin that is plugged all the way to the grate. When the Contractor came across it, broke the pipe, put in two collars and a length of CPP in between to cover the trench excavation and then moved on. The location of that catch basin benefits the Town. To have these catch basins in place is a good break point on the slope of Columbine Drive which has a lot of water that heads toward White Plains Road. Mr. Savarese would like to see that established, and is presenting to the Commission a request to make an improvement outside the contract. Mark IV furnished a bill for the work they have done. Can we get this drainage outside the contract as a penny item? Mr. Savarese is asking for the authority to follow this line of thought to counsel to try to get the two basins. If he asks counsel it is at a billable rate through the Town. Commissioner Lynch stated that because the work has already been done it would be prudent to make a phone call to Bob Nicola and go over the issues. Commissioner Pulie stated the fact is the Contractor bid on these items for a penny and we thought we would be getting these items installed. Mr. Solemene made that clear to the Contractor through an email. Mr. Solemene stated we are marking out the catch basins that we expect to be changed. Commissioner Lynch again instructed Mr. Savarese and Mr. Solemene to make the call to counsel, confirm your understanding so you can draft an appropriate letter that has been approved by counsel to support the

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Town's position on how to deal with this issue. Mr. Solemene and Mr. Savarese will have more information for the next meeting. The Commission gives Mr. Savarese the authority to speak with the Town Attorney and have a letter approved.

**JEWISH HOME FOR THE ELDERLY**

The Commission discussed the presentation made by Robert Scinto at the March 24<sup>th</sup> meeting regarding the Jewish Home for the Elderly. The Commissioners commented as follows:

**Commissioner DeVita:** It appears to be a good idea. Wants to know who will be in control. We don't want to create a precedent.

**Commissioner Pulie:** Concerned with all the rain we've been having and our sewer lines are flowing at capacity. It's going to take a couple of hours to empty the tanks and then to flow to Bridgeport, you don't want the peaks to coincide. It must be out of there before the morning peaks are generated.

**Commissioner Lynch:** Not sure yet, ambivalent. On the one hand it will be beneficial to the Town economically, but on the other hand we are setting a precedent.

**Commissioner Goncalves:** Has a few concerns. The income would benefit the Town. We're talking about a precedent. In his tenure on this commission we have never negotiated with a developer. Another problem is Bridgeport's infrastructure. We have a flow problem as it is now and we will be adding theirs. The money is important and could go a long way.

**Commissioner Lynch:** Any negotiations should include a minimum of money coming in. For example, if he says \$500,000 and then two years down the road he does a tax appeal and reduces his taxes, that can't affect our money.

**Mr. Solemene:** There would be a quarterly windfall of unit charges as extra income.

**Mr. Savarese:** Has been part of this discussion with this developer for a while now and he's tried many different paths in more communities than Monroe and Trumbull. Trumbull is trying to accommodate this development; it is a good development and good for the community. Commissioner Pulie will contact the Public Works Director for his input. The item will be placed on the April agenda for further discussion.

- **Motion made (PULIE) seconded (GONCALVES) to postpone discussion of the Jewish Home for the Elderly until the April meeting. No discussion. Motion carried unanimously.**

There being no other business before the Authority,

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

The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Jenny Francese  
Clerk of the Commission