

WATER POLLUTION CONTROL AUTHORITY
Town of Trumbull
CONNECTICUT

TOWN HALL
(203) 452-5048



5866 MAIN STREET
TRUMBULL, CT 06611

MINUTES
Water Pollution Control Authority Meeting
Wednesday June 22, 2011

Members Present:

Paul Kallmeyer, Vice Chairman
Laura Pulie
Ennio DeVita
Timothy Hampford
Karen Egri, Alternate (voting)

Members Absent:

Jeanine Maietta Lynch, Chairman

Also Present:

Stephen M. Savarese, PE/LS, Town Engineer
Dennis Kokenos, Esq., Town Attorney
Fred Mascia, Tighe & Bond, Project Manager

The Vice Chairman called to order the regularly scheduled meeting of the Trumbull WPCA for June 22, 2011 in the Long Hill Room at 7:30 p.m.

1. Minutes to previous meetings.

May 25, 2011 Minutes.

The following corrections and/or additions were requested:

Page 2, under Tony D'Aquila, 29 Valley View Road 10th line says "cc" changed to "ccf"; 13th line says "me" changed to "him"; last sentence "Discussion took place for setting a time limit for resident's presentations and discussions" – sentence deleted.

Page 5, under Wright-Pierce 7th line says "accomplish" should say "comply"; 12th line says "policy" changed to "police".

MOTION made (Hampford) 2nd (Pulie) to approve the meeting Minutes of May 25, 2011 as amended.
Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

June 15, 2011 Special Meeting Minutes.

MOTION made (Kallmeyer) 2nd (Hampford) to approve the meeting Minutes of June 15, 2011 as written. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

2. Tighe & Bond.

Progress Report. Fred Mascia said since the last Commission meeting the contractor has been working on Turkey Meadow and Teeter Rock Roads on main line sewers, worked on the lower part of Huntington Turnpike, did some of the drainage work, a lot of restoration work and continued work on the pump station. The detour on Huntington Turnpike is continuing and they are working on one section at a time and a detailed detour plan was prepared and is on the Town website. The contractor is making progress but it is slower, there is one pipe line and the lateral crew and other pipe line crew are doing drainage work.

Change Orders.

Change Order R54: dated May 25, 2011 in the amount of \$4,424.00 to cut and remove concrete pavement in Huntington Road. This is for the lower portion of Huntington Road from when the Town and State switched Shelton Road and Huntington Turnpike and concrete was found from the old State road.

MOTION made (Kallmeyer) 2nd (Hampford) to approve change order R54 in the amount of \$4,424.00 to cut and remove concrete pavement in Huntington Road. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order R55: dated May 25, 2011 in the amount of \$1,770.00 for restoration work at 261 Unity Road. The work was done and contractor went back and restored it and now Mark IV submitted a \$1770.00 change order request for restoration and a \$3100.00 request for reconsideration for stone used in the trench drain to clean up the property. This involved legal action regarding an easement that goes from Partridge Lane down to Unity Road and during the construction of the sewer the homeowner had claims that their basement was flooded out and Mark IV paid to have the basement cleaned once. It flooded out the second time and they put in a cutoff drain across the back of the property to prevent water coming into the basement and now they are looking to get paid for the work. The restoration was outside of the easement area and is not part of the contract. Fred Mascia and the Commission do not believe the drain was approved by the Commission and Fred does not recommend payment.

MOTION made (Kallmeyer) 2nd (Hampford) to deny change order R55 in the amount of \$1,770.00 for restoration work at 261 Unity Road. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order R56: dated May 25, 2011 for reconsideration in the amount of \$3,100.00 for ¾” stone for trench at 261 Unity Road. This was previously denied in November, 2010 and is the same issue as R-55. Fred Mascia does not recommend payment

MOTION made (Kallmeyer) 2nd (Hampford) to deny change order R56 261 Unity Road – ¾’ stone for trench (\$3,100.00 reconsideration for COR #26). No Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order R57: dated May 31, 2011 for reconsideration in the amount of \$\$45,411.93 for Shelton Road chimneys. This is reconsideration of 5 change order requests that were submitted for replacement of chimney on Shelton Road and was discussed by the Commission in September, 2010 and denied. Attorney Kokenos stated he received a letter from Mark IV’s attorney that said if these payments aren’t made they are going to start arbitration for the chimney items that were not paid under Contract 4. Fred Mascia stated these are the ones that were built in Shelton Road that collapsed and Mark IV replaced them with the precast unit. Discussion took place regarding the chimney failures and replacement.

MOTION made (Pulie) 2nd (Hampford) to deny change order R57 Shelton Road Chimneys (\$45,411.93 reconsideration of COR #21 through COR #25). Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order R58: dated May 21, 2011 in the amount of \$-8,037.88 credit for electrical work and addition for foundation excavation work. Fred explained there was an approximate \$17,000.00 credit for electrical work at the pump station and an approximate \$8,700 in additional costs for foundation resulting in a net credit of \$-8,037.88. MOTION made (Hampford) 2nd (DeVita) to approve change order R58 in the amount of \$-8,037.88 credit for electrical work and addition for foundation excavation work. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order 59: dated June 3, 2011 in the amount of \$3,981.16 for down time for water main conflict in Huntington Road and Change Order 60: June 7, 2011 in the amount of \$42,000.00 for water main relocation in Huntington Road. Fred explained R59 and R60 need to be discussed together. R59 is a claim for crew and equipment down time for 3.5 hours and our field inspector does not agree. The inspector said at most it was

probably about 1 hour. When the contractor went to make the turn on Huntington Road they encountered 2 water mains, a 12" main on Huntington Turnpike and 8" main going up Jerusalem Hill that are in direct conflict of the sanitary sewers. The closest valve to shut off the 12" main is several hundred feet north of the intersection and can not be shut off because it would put too many people out of service. Fred explained the process the DOT wants and the shut off and off sets Aquarion wants put in. He also went over different scenarios on how the work could be done and said the insertion work would be done by Aquarion's contractor. Fred did not recommend paying R59 and wants Mark IV to revise the time.

MOTION made (Kallmeyer) 2nd (DeVita) to table change order R59 in the amount of \$3,981.16 for down time for water main conflict in Huntington Road. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

MOTION made (Kallmeyer) 2nd (Hampford) to approve change order R60 in the amount of \$42,000.00 for water main relocation in Huntington Road subject to:

- after the evaluation of the cost

Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order 61 dated June 10, 2011 in the amount of \$16,600.00 to furnish and install furnco coupling at storm drainage connections 12" @\$365.00, 15" @\$465.00 (assume 40 @ \$415.00). The contractor is working on replacing catch basins and submitting requests for furnco couplings. Fred explained the original request was about \$80.00 and \$90.00 for providing the furnco coupling and now they revised it and added labor to it. Catch basin removal and pipe removal are at mediation prices and the contractor is asking for payment for all the nuts and bolts. Discussion included installation of new pipe, connecting to existing basins, connecting to structures, connection fees, use of couplings, difference in pricing for same installation and material only prices.

MOTION made (Kallmeyer) 2nd (Pulie) to table change order R61 in the amount of \$16,600.00 to furnish and install furnco coupling at storm drainage connections 12" @\$365.00, 15" @\$465.00 (assume 40 @415.00).

Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order 62. June 6, 2011 in the amount of \$1,050.00 for T-Y on Green Ridge Road 2 @ \$575.00.

Additional T-Y's were put in prior to the installation of the laterals. Fred Mascia stated this is the standard price.

MOTION made (Kallmeyer) 2nd (Pulie) to approve change order R62 in the amount of \$1,050.00 for T-Y on Green Ridge Road 2 @575.00. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order 63. June 15, 2011 in the amount of \$12,800.00 to provide soil erosion control at "new" catch basins. Fred Mascia said based on the mediation agreement the contractor agreed to replace 120 catch basins and is claiming each catch basin needs to have soil erosion control measures installed around them at \$100.00 per structure. Fred stated the basins and soil erosion were part of the original bid and because the basins were not identified the soil erosion control lump sum covered all work.

MOTION made (Hampford) 2nd (Pulie) to deny change order R-63 in the amount of \$12,800.00 to provide soil erosion control at "new" catch basins. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order R46 (tabled 5/25/11). March 21, 2011 in the amount of \$7,088.59 for additional work at Golden Hill Road and Red Fox. Fred explained this is a charge for down time for structure changes at this intersection and the contractor was paid for additional manhole and rerun the sewer to avoid the storm drainage. Fred also said when they gave the contractor the revised layout with the sanitary manholes changes one of Mark IV's foremen brought in another crew and back hoe and they were there about an hour and they are claiming 8 hours. As far the Tighe & Bond inspectors are concerned there was no delay they were productive working. The Commission pointed out it was Mark IV's discretion to bring the second crew out and then idle it. Fred does not recommend payment.

MOTION made (Kallmeyer) 2nd (Hampford) to deny change order R46 in the amount of \$7,088.59 for additional work at Golden Hill Road and Red Fox. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY

Change Order R48 (tabled 5/25/11). March 18, 2011 in the amount of \$251,900.00 for additional cost for borrow. Mark IV submitted mathematics on why borrow was exceeding the contract quantity and they were entitled to renegotiating a higher price. They did not provide any backup other than they said the amount of ledge removed equals the amount of borrow in the hold and they are looking for \$25.00 a yard on something they bid a penny for because they believe it went over 25%. Fred said they did not take everything into account and he wants Mark IV to provide details as to where all the soil went so they can value it. He will discuss this further with Mark IV.

MOTION made (DeVita) 2nd (Egri) to table change order R48 in the amount of \$251,900.00 for additional cost for borrow. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY

Change Order R49 (tabled 5/25/11). April 8, 2011 in the amount of \$22,540.68 for additional work at pump station. Fred Mascia said since this was tabled and the previous credit this charge basically goes away because it gets eliminated by the credit. Because it is still outstanding the Commission agreed instead of denying this change order it should be removed from consideration.

MOTION made (DeVita) 2nd (Pulie) to remove from consideration change order R49 in the amount of \$22,540.68 for additional work at pump station. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Review Tighe & Bond/Wright Pierce spreadsheets: the Commissioners reviewed the spreadsheets.

It was noted there is approximately \$111,000 remaining for Tighe and Bond under the original contract.

Commissioner Kallmeyer requested an update on the de-watering of Dogwood Pond. Fred Mascia said they submitted a narrative on how they're going to approach it and a de-watering program narrative. He said they do not have a detailed plan or schedule yet and he briefly highlighted the information they received to date and he is waiting for DEP's feedback.

3. Invoice Approval.

Mark IV Construction Co., Inc., Phase IV, Part B – Contract 4 – North Nichols Project, Application #22 dated June 13, 2011 in the amount of \$563,621.66.

The Commissioners reviewed the invoice. Over 77% of the main line pipe is in and only 49% of television pipeline inspection has been done. Mr. Mascia explained before they can do the television inspection they also have to clean the sewers and pull the mandrel through and they had problems with that. Further discussion took place regarding the television inspections, mandrel testing and process used by Mark IV, ways to get Mark IV to catch up on the testing, problems found in prior testing, needed repairs, options to be considered if television inspections are not brought to within 15% of the total pipe length. Fred also stated Mark IV gets paid for the TV once and if they review it and see a deficiency they have to fix the deficiency and if they TV it again they don't get paid for the second TV. Fred also pointed out the repairs have to get done so sewers can get released for connection. The Commission wants to send a message to the contractor that if the television inspection isn't within 15% of the pipe length at the next meeting then the Commission will not pay for any more pipe installation. Attorney Kokenos will research if the Commission has the ability to withhold payment. The Commission requested Steve Savarese send a letter to the contractor. Commissioner Pulie pointed out that rock is at 95%.

MOTION made (Kallmeyer) 2nd (DeVita) to approve Mark IV invoice 22 in the amount of \$563,621.66. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

MOTION made (Egri) 2nd (Hampford) to move Agenda item number 6 New Business: Presentation of results of the Stonehouse Road camera testing of the existing sewer lines and proposed repair program and Agenda item number 7 Any other business that may come before the Authority up on the Agenda. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

6. New Business:

Presentation of results of the Stonehouse Road camera testing of the existing sewer lines and proposed repair program. Tighe & Bond is working with the Public Works department to do a mill and overlay and a full depth reclamation of Stonehouse Road. Before the Town commits the funding to rebuild the roadway drainage they want to make sure the sewer under the roadway is defect free. Tighe & Bond did an inspection of the Stonehouse Road sanitary sewers to identify and catalog defects. Fred Mascia went through Tighe & Bond's Executive Summary dated June 15, 2011 and highlighted defects, failures and problems found during the inspection. It will cost approximately \$160,000.00 to do the sewer repairs.

Steve Savarese addressed the Commission from a Public Works perspective and stated the paving program for the Town includes Stonehouse Road and the objective is to get a 20 year design life out of it. He said they are looking for the WPCA to put this in as emergency repair to repair the broken pipes that are causing failure to the road and the sewer damage has to be repaired prior to paving. Steve stated he spoke with Wright-Pierce and learned we can get reimbursed 55% as study costs for camera work and the 2 percent loan is available for this type of work. Fred said this work could be combined with other repairs as one contract and one general contractor would be responsible for all work. They are looking to get the road paved before the plants close in November. The Town is looking to get the bid documents completed within the next couple of weeks. Steve said the WPCA is being notified that it has some failing in the infrastructure. Fred also said the utilities will be notified to do repairs now or be prohibited for 2 years or do a curb to curb overlay.

It is the consensus of the Commission that it is the WPCA's responsibility and it needs to:

- acknowledge the repair;
- get a recalculation after the bid;
- after the final cost is received decide whether it will be out of the 20 account, the 59 account, be included in a bond, or if 2% funding is available from the State.

7. Any other business that may come before the Authority.

101 Merritt Boulevard. Fred Mascia said Tighe & Bond has processed over 275 request for service complaints on this project since they've been on the job. He addressed the issue of pine trees that were removed during the building of the pump station. The homeowner that lives behind the pump station wants to know if anything is going to be done to give them back their screening and Fred noted that they were not the owners of the trees that were cut. Discussion took place regarding landscaping on the site, buffer area, property line restrictions regarding telephone company's easement, and the homeowner's view of the pump station.

The Commission did not agree to plant any trees and did not want to set a precedence.

2218B Huntington Turnpike. Fred Mascia stated they want to be taken out of the sewer project. It is an interior lot and has no frontage and the lateral would have to go across another land owner's property. Fred suggested they look into coming in from another way and discussing an easement with St. Joseph's. Fred will get more information for the next meeting. This is different than other requests to be removed from the project that came before the Commission because this landowner has no way to connect.

Force main break. Steve Savarese discussed the emergency repair for the force main break which occurred on a job site on Sylvan Avenue and Seltsam Road in Bridgeport on June 16, 2011. The DOT was overseeing the work and the job site. He stated we had to shut down Beardsley pump station, run a diversion, to allow for the

construction to happen in Bridgeport which took about 8 hours and DEP came down and said the diversion was not successful and said to dump it directly into the river and we made out our spill report. Call before you dig was called in and Bridgeport claims they do not mark Trumbull facilities in Bridgeport and we were never instructed to go to go Bridgeport and mark out utilities. Discussion included call before you dig markings, utility markings, gravity lines, force mains, clean up and payment responsibilities, and ownership of the pipe. The Commission wants to review the plans for the work that was being done. The cost for the break will be approximately \$30,000.00.

Commission wants the following:

- Complete costs
- Copy of the construction plan
- Copy of call before you dig call and what was to be marked out
- Date and time it was called in to call before you dig and what is the wait time
- Is there an easement over the area;
- Why did our inspector not mark it;
- Confirm DOT was supervising construction;
- Make sure DOT utility contact list includes Trumbull as a utility in Bridgeport.

Commissioner Kallmeyer read into the record a letter from David Bjorklund of Spath-Bjorklund Associates, Inc dated July 14, 2011. Steve Savarese informed the Commission he received a letter from Dave Bjorklund stating he could not attend tonight's meeting.

MOTION made (Kallmeyer) 2nd (Egri) to move Agenda item number 4 Old Business: Up-date: South Nichols Project up on the Agenda. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

4. Old Business.

Up-date South Nichols Project. Steve Savarese advised the Commission that the South Nichols Project is something the Director is pursuing to get complete. Commissioner Hampford contacted Stratford and he informed the Commission they would be open to it at a \$3,500.00 unit hookup fee. It would be about \$1,000,000.00 to hook up into Stratford's system and if that is the case just build a pump station. The Commission requested Steve set up a meeting with Spath-Bjorklund. Discussion included plans and design, what is needed to finish the design, estimated costs, bid documents and outstanding issues.

Update: SSEC. Commission Hampford said they met with officials of Bridgeport and will meet with them again in July and they are interested in regionalizing with Monroe and they offered to let us attend the negotiations for the contract for the operation of the treatment plant. They are currently discussing and looking into retaining a consultant professional to make a recommendation on the best way to go. Commissioner Hampford will keep the Commission updated. Attorney Kokenos stated he asked Bridgeport if they would make some kind of a proposal for a short term extension of the contract based on the fact that regionalization is a very large undertaking that is probably not going to be done in a year.

David Briganti, 23 Dogwood Lane: Easement. Steve Savarese went over information from Joe Solemene and stated the approximate savings is \$14,665.00. Discussion took place regarding lateral including length and location, and costs. Steve gave the following summary we will not be able to serve that house unless he procures his own private easement so we'll build him the stub on the main on his neighbor's house if he requests it. The Commission needs a letter from the owner of 22 Dogwood stating they want to hookup through the easement and is responsible for it and we will give him the lateral stub right there. The Commission wants more information and tabled this agenda item to the next meeting.

Up-date: 495 Hawley Lane Connection. Mr. Camillo, the general contractor received approval from Bridgeport pending approval from Bridgeport's City Council.

Discussion: F.O.G. policies – fees and fines. Attorney Kokenos stated he put together the responsibilities of the Regional Health District which would be to inspect the interior units and to immediately notify WPCA if something is improper. Enforcement and outside inspections will be handled by the WPCA./Sewer Department. He also said the Ordinance has been finalized and is going to the next Town Council. The Commission reviewed the letter that Joe Solemene will be sending to all the food establishments and adopted the policies discussed at the last meeting.

MOTION made (Kallmeyer) 2nd (Pulie) to approve the fats, oils and grease policies for fees and days to correct violations. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Discussion: policies leaks and fees. Steve Savarese went over the information provided by Joe Solemene. After review and discussion the Commission tabled this agenda item to the next meeting.

5. Attorney Kokenos:

Owens, Schine & Nicola: WPCA v. State of Connecticut – Sewer Condemnation: Invoice number 11908 dated June 10, 2011 in the amount of \$442.00. Attorney Kokenos requested the title search bill in the amount of \$175.00 be added to the bill and said a credit of \$68.00 is being deducted for an error in billing calculations. The revised amount due is \$549.00. The Commission agreed to the revised amount and stated this is a project cost.

MOTION made (Kallmeyer) 2nd (Hampford) to approve payment of Owens, Schine & Nicola's revised bill in the amount of \$549.00 as a project cost for the easements for the State of Connecticut. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Owens, Schine & Nicola: Esteves – WPCA Tax Appeal: Invoice number 11909 dated June 10, 2011 in the amount of \$1,020.00 and Owens, Schine & Nicola: Baker – WPCA Tax Appeal: Invoice number 11910 dated June 10, 2011 of \$1,020.00. Attorney Kokenos said this was discussed in last month's executive session and it was decided to order the appraisal and get three independent estimates to tie in and these items are proceeding.

MOTION made (Kallmeyer) 2nd (Egri) to approve Owens, Schine & Nicola's invoice 11910 for Baker in the amount of \$1,020.00 and invoice 11909 for Esteves in the amount of \$1,139.00 and the money to come out of the operating funds. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Legal Opinion: leaks and Legal Opinion Bridgeport's contract. Attorney Kokenos these two Agenda items are the same and he previously submitted his legal opinion to the Commissioners for review. He also said the policy regarding leaks that the Commission discussed was consistent with the opinion that he gave.

6. New Business:

End of year true up with Bridgeport.

MOTION made (Kallmeyer) 2nd (Egri) to table Agenda item 6 New Business: End of year true up with Bridgeport. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

MOTION made (Kallmeyer) 2nd (Egri) to close the regularly scheduled meeting for June 22, 2011 at 10:15 p.m. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Submitted by,

Joyce Augustinsky
Clerk of the Commission