

WATER POLLUTION CONTROL AUTHORITY
Town of Trumbull
CONNECTICUT

TOWN HALL
(203) 452-5048



5866 MAIN STREET
TRUMBULL, CT 06611

MAY 26, 2021
MINUTES

Call to Order: The Chair called the meeting to order at 7:08 p.m. The Chair welcomed Tom Kelly as a new commissioner.

Roll Call: The clerk called the roll and recorded it as follows:

Present: Richard Boggs, Chairman, Jon Greene, Vice-Chairman, Frank Regnery, Andrew Palo and Tom Kelly

Absent: Scott Thornton, Alternate

Also Present: William Maurer, Town Engineer/Sewer Administrator, Town Attorney James Nugent, and Christine Kurtz of Wright Pierce

Approval of Minutes:

Moved by Palo, seconded by Regnery to approve the April 28, 2021 regular meeting minutes as submitted. VOTE: Motion CARRIED 4-0-1 (ABSTENTION: Kelly)

New Business:

7182-7192 Main Street Sewer Connection

Mr. Maurer explained this had not be approved by P&Z to date, they need all other commission approvals before they go to P&Z. Attorney Nugent noted they do have to get other approvals first, there is not a prescribed method but it is not improper to come to this commission first because they have to go somewhere first. The Chair noted the WPCA only approves the sewer connection not the overall development. Commissioner Regnery stated it gives the appearance of some government approval.

Mr. Maurer explained this is a development on the border of Monroe and Trumbull on RT. 25. Years back it used to be a lumber yard next to Rural Gas. They are proposing a sewer extension to Spring Hill and they can connect to the main behind Pond Spring Nursery.

Mr. David Bjorklund president of t the firm Spath Bjorklund Associates was present and indicated this proposed sewer connection is a unusual because a portion of the building is located in Monroe and another portion is in Trumbull. Mr. Maurer shared his screen showing the plan

included with agenda packet. The property is located north of the Rural Gas Co. The proposal is to take down the existing building and construct a building that is split by the town line. They went to the Bridgeport WPCA last month and were approved to take the waste water from the Monroe portion and route it to the Trumbull-Bridgeport sewer system. The total will be 17,000 gallons per day. The developer will construct a gravity sewer that will extend just over 1900' down the shoulder of Main Street and will require DOT approval. He has already had discussions with District 3 about constructing the sewer in the shoulder. As a concept they do not have a problem with it. The sewer will cross Spring Hill Road and go into the Pond Spring Nursery property. He spoke with the Nursery owner once Amazon occupied the warehouse. There is a lot of traffic there now and thought it would be simpler to cross the Nursery property. They have intentions for future development of the property and this would give them a sewer to connect to. The sewer would then flow easterly to an existing manhole located in the old railroad right-of-way. That sewer was installed to service the Regency Meadows development.

The overlay in the agenda packet shows the possibilities after the line is extended, in concept they will be able to get sewers to Olive Hill Trail and to Coventry Lane. The line in Main Street is proposed to be an 8" line and is sized to take residential areas and doesn't see a capacity issue. Mr. Maurer indicated he did not believe there would be a capacity issue since there is very little going into the line now but would need to analyze it. Mr. Bjorklund stated from where it goes into the railroad right-of-way it flows southerly and goes under RT. 111 and through Old Mine Park and again links with the old Railroad right-of-way to the Whitney Avenue pump station. There are very few connections may be a dozen homes plus what is contributed from RT. 111. What they would be taking north of RT. 111 is minimal.

Attorney Nugent stated the commission has to give some careful thought to setting precedent, half the project is in another town and we would be accepting flow from approximately 40 proposed apartments with retail below. Twenty (20) of the apartments would be from Monroe and contributing to what we send to Bridgeport for treatment which Trumbull pays for. There is no specific regulation about this. If this is approved a developer could come in the future with property from an adjoining town and a couple lots in Trumbull and request to connect to the sewers. It would be hard to distinguish between this project and that one. The commission noted they had accepted a residential house in the Buck Hill Road area a couple of years ago. The commission discussed the possibility of other developers in the area requesting the same and the fact that Trumbull still needs to make a decision on what to do with the wastewater and whether they will build a wastewater treatment center. Commissioner Regnery cautioned accepting Monroe piecemeal noting there should be a formal agreement. Commissioner Greene noted it is a single building that part of it is in Trumbull and questioned whether they could accept part of the building. It was noted that is a possibility. Mr. Bjorklund stated the concerns of the former Walmart site should not be a concern, Monroe just accepted a 600 space parking lot for service facility.

Attorney Nugent stated there are other issues such as:

- How does Trumbull get paid for the Monroe users? There are no lien rights in Monroe.
- After reviewing the plan it was established there would be 59 units in total plus retail/restaurant/office and storage. Attorney Nugent noted the commission has to be sure about the payment issue. The Chair asked if that should be asked and answered at a different level, not the WPCA.

- The commission doesn't know precisely what Bridgeport approved. This needs to be seen in writing.

Commissioner Regnery noted this has many ramifications that will affect the whole town and suggested getting guidance on how this should be handled.

Mr. Maurer explained they are bringing in thousands of yards of fill to bring the property to grade, they did a wetlands permit a couple of years ago for that.

Moved by Greene, seconded by Regnery to TABLE.

VOTE: Motion CARRIED by unanimous consent.

Commissioner Palo asked whether there were any other commercial properties on the border connected to sewer system. Mr. Maurer indicated there was one Technology Drive. The commission stated there is already precedent. Commissioner Greene noted the issues the Attorney Nugent brought up are good issues and questioned if they are bound by precedent. Attorney Nugent noted if denied there could be a lawsuit. Attorney Nugent stated the commission has to be careful about the metering. If there is one (1) meter and it's in Trumbull we have rights against a Trumbull property owner, but if there are meters for units in Monroe we do not. That will need to be verified.

Mr. Bjorklund had a power failure earlier in the meeting and is now back in the meeting at 7:39 p.m. He was able to hear most of the conversation but could not participate.

Mr. Bjorklund stated they did not have anything in writing from the Bpt. WPCA. He could meet with Mr. Maurer to discuss the commission's questions and come back next month with a complete response. The metering of the property was not a known issue, but after hearing the attorney's concerns this will all need to be metered in Trumbull.

Attorney Chris Russo the attorney for the applicant was present. The proposal is that the entire parcel would be combined as one property even though it is half in Trumbull and half in Monroe, if a lien is put on the property it would apply to whole property. There will be one owner and one property. Mr. Bjorklund stated he expects there will be one (1) water line whether the individual units will be metered he did not know and would get clarification on that. Attorney Nugent stated if this is separately, metered people in a different town would occur a charge that Trumbull can't lien. Attorney Russo stated the lien would be on the property as a whole, it wouldn't be on part of the property, even though there is no lien on the Monroe land records there would be a lien on Trumbull Land Records.

Attorney Russo stated they have to go to Monroe and Trumbull for a special permit, the standards to get those approved require approvals from all the relevant commissions, WPCA and IWWC). This approval is needed first. P&Z asked that they get an approval from WPCA as well. His understanding of Bridgeport is if in the future a property in Monroe that requests to connect into this proposed line will have to go through the same process of going to the Bpt. WPCA and Trumbull WPCA for approval.

The address of the property in Trumbull is 7182 Main Street and in Monroe it is 4 Main Street. It is one property but has different mailing addresses. It is identified differently in each town. Attorney Russo filed the Mylar that made it one property.

Ms. Kurtz indicated this is something Wright Pierce would look at, the town has a hydraulic model of the bigger sewers in town and they would look at how this would contribute to that part of the system to make sure there is capacity. They would then look at the technical pieces of the design and advise Mr. Maurer and his department on anything related to that. They can see if they need an IMA and identify specific issues the WPCA needs to address, not only technically but legal. They have seen this a bit and knew something was coming.

Mr. Bjorklund stated this is a preliminary design based on existing mapping, they haven't done the survey work. The mapping they used is good, they have surveyed several properties in the area. He doesn't expect changes more than a foot when they get to it. It is good preliminary design. Ms. Kurtz indicated they usually don't get it until it is a final design or close to. Because this is a special case with being in two (2) different towns Wright Pierce could look at it at a preliminary level. Mr. Bjorklund explained based on his knowledge of the area he thinks the extensions into Owl Hill and Coventry will work but they haven't looked at those in detail yet.

The Chair indicated he likes that approach, Ms. Kurtz to work with Mr. Maurer over the next few weeks to get these questions answered to the best of their ability based on the status of the design. He is curious about the additional sewer areas in Trumbull to see if that changes the answer about our system's ability to accommodate.

Attorney Russo explained it was his understanding what was submitted to Trumbull is what they submitted to Bridgeport and that is what they approved on April 20, 2021. He will ask Bridgeport to send a copy of the approval. Attorney Nugent stated what Trumbull residents pay for sewer charges and what is coming down the road he wants to make sure whatever flow comes out of this project, if it's approved, is fully paid for and we are not compensating other people from another town to use our town. The Chair said the costs will be distributed appropriately.

The Chair asked Ms. Kurtz to see if there is an economy of scale, if the average rate payer will see a savings as a result or not, or does it not matter? Commissioner Regnery indicated Trumbull made a capital investment 50 years ago and they just get to connect. If they had to have their own sewer system it would be very expensive. Commissioner Greene noted they are in Trumbull and if the precedent is set but the commission has to make sure it wasn't just a corner of the property. Attorney Nugent would need to provide guidance.

Attorney Nugent explained the issue is precise because one town has no sewer system and the other made the investment to put it in. Commissioner Greene noted they are only considering it because a significant percentage of the property is in Trumbull including the significant percentage of the structure. Commissioner Palo requested more information on the Technology Drive history and where the meter is. Commissioner Regnery requested the Technology Drive site plan to get a general sense of its location to Trumbull and Monroe. This is not just commercial it will be residents as well, but with one owner.

Ms. Kurtz stated every unit will pay the developer installed unit charge. Mr Maurer confirmed the developer is paying for the construction and the town will not incur any expense. The Chair indicated the benefit to the town is that there will be a line for other residents to connect to. Commissioner Regnery explained that is why it is important to know what other houses could connect and what the impact to the line it would have.

2157 Huntington Turnpike Sewer Connection

Mr. Maurer explained this is a ten (10) lot age-restricted complex to be built off Huntington Turnpike on the current Moorefield Farm. It's a 6-acre site where they propose to pipe to the sewer main on Huntington Turnpike at Primrose. This project has been fully approved.

Mr. Shepard of NOK was present and indicated this project has been approved through Wetlands and P&Z. They do have a sewer line in front of their project, currently there is one (1) residential house on the property. Instead of doing a subdivision for house they are allowed to use the age-restricted. There will be ten (10) units with a probable flow of 50-75 gallons per person, the 1,000-1,500 gallon range. It is not substantial. The sewer line is straight forward, down the center of the road. They should have at least first floor gravity, and the cut in the center will be approximately 12' deep towards the center of the road. This will be a private development with a private road. There will be a developer installed unit charge for each of the houses minus the one (1) existing (9 x \$2,500). Mr. Shepard confirmed his client is willing to pay the unit charges. Mr. Maurer confirmed there were no capacity concerns and gravity works well. It was confirmed the house was built in the 70's if there was any outstanding balances the project would pay for that, including satisfying any remaining assessment

Moved by Boggs, seconded by Regnery to approve as submitted pending demonstration of concurrence with Town requirements, payment of the fee of \$2500 per unit for 9 units and to satisfy any remaining assessment. VOTE: Motion CARRIED by unanimous consent.

Old Business:

FY2022 Budget Update – Town Council Level

Mr. Maurer explained the budget passed last week with only one change at the BOF level. The BOF put back money for alternate flow, for regionalization. The budget is all set for next year.

Year-To-Date Budget Report

Mr. Maurer indicated the Year-to-Date budget is in good shape, there is 14% available with a little over a month to go. Mr. Maurer shared the Year-to-Date Report included in the agenda packet on his screen with the commission.

Beardsley Force Main Update

Mr. Maurer explained they did test borings on Stehlsion Street to locate the main and it was located in two (2) spots. It was close to where they thought it was. They wanted to make sure before they uncovered the main that they were not digging blindly because they did not have good documentation. They uncovered it and are on schedule for June 8th to have Corrosion Probe come out to dig the two (2) test pit locations and test the force main in those two (2) locations. Arcadis is at 50% design. They hit a little bit of a snag, no one realized Beardsley Park is not owned by the City of Bridgeport but by the state of CT Zoological Association. Easements will need to be negotiated. They are looking to go off the road towards the east out of the tree

line to keep the park as operational as possible without having to do the paving repair and guardrail repair. The design is at 50% and are looking to go out to bid by late summer. This will need to go to state IWWC possibly, they are in the process of checking that out and what other permits are needed, it could slow the process down, hopefully the state will know the importance of this and it won't.

Old Town and Reservoir Avenue Pump Stations Update Beardsley Force Main Update

Mr. Maurer explained there was kick-off meeting the other day with Kovacs who this was awarded to. The Notice to Proceed will be in June giving them time to start some of their purchase orders because the supply chain has been affected. It is very hard to get pipe and other construction items. Kovacs wants it locked in so there is not a slowdown later.

Alternate Flow

Ms. Kurtz explained there was a meeting with Stratford.

Moved by Palo, seconded by Regnery to ENTER into Executive Session based on CGS 1-210b-7 to present engineering or feasibility estimates relative to the public supply construction costs.
VOTE: Motion CARRIED by unanimous consent.

The WPCA ENTERED into Executive Session at 8:17 p.m. with the following people present WPCA members Richard Boggs, Chairman, Jon Greene, Vice-Chairman, Frank Regnery, Andrew Palo and Tom Kelly, Town Attorney James Nugent, Town Engineer/Sewer Administrator William Maurer and Christine Kurtz of Wright Pierce.

Moved by Regnery, seconded by Palo to END Executive Session.
VOTE: Motion CARRIED by unanimous consent

Adjournment: There being no further business to discuss and upon motion made by Regnery, seconded by Palo the WPCA adjourned by unanimous consent at 9:34 p.m.

Respectfully Submitted,

Margaret D. Mastroni
Clerk