

WATER POLLUTION CONTROL AUTHORITY  
**Town of Trumbull**  
CONNECTICUT

TOWN HALL  
(203) 452-5048



5866 MAIN STREET  
TRUMBULL, CT 06611

**JULY 23, 2014**  
**7:00 p.m. Long Hill Room**

**PUBLIC HEARING/TOWN OF TRUMBULL**  
**JULY 23, 2014**  
**PROPOSED SEWER USER RATES**

Pursuant to section 7-255 of the Connecticut General Statutes, the Trumbull Water Pollution Control Authority hereby gives notice of a Public Hearing, Wednesday, July 23, 2014 at 7:00 p.m. in the Long Hill Room, Town Hall, 5866 Main Street, Trumbull, Connecticut.

**Sewage Treatment fees:**

Residential Sewage Treatment per CCF, currently \$5.95	Proposed \$ 5.95
Industrial/Commercial Sewage Treatment per CCF, currently \$6.51	Proposed \$ 6.51
Flat Rate Treatment per quarter, currently \$170.00	Proposed \$176.00

**Unit Charges:**

Residential Maintenance Fee per unit, per quarter, currently \$27.00	Proposed \$ 33.00
Industrial/Commercial Maintenance Fee per unit, per quarter, currently \$27.50	Proposed \$ 34.00

The new rates will be reflected on the next quarterly billing cycle mailed in August, 2014, covering the billing period through September, 2014.

**MEETING AGENDA**

1. Minutes to previous meeting
2. Contract 4:
  - Progress Report
3. Wright-Pierce Update
  - Phase 3
  - Phase 4
  - I/I Study
4. Old Business:
  - Proposed Bill 5581
  - Assessment – 72 Old Dike Road
  - Vote: Town of Trumbull proposed 2014-15 user rates
5. New Business:
  - Owens, Schine & Nicola: monthly invoices
  - Ury & Moskow: monthly invoice

6. Executive Session:

- It is anticipated that the WPCA will vote to go into executive session to discuss preliminary drafts and/or notes as set forth by C.G.S. 1-210 (b)(1) and/or discuss with the Town Attorney strategy and negotiations with respect to pending litigation as defined by 1-200(6) and/or to discuss attorney client-privileged information as set forth by 1-210 relating to the following:
  - Mark IV – Contract 3 and Contract 4
  - Regionalization and/or re-negotiation of Bridgeport sewer treatment contract

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

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**MINUTES**  
**Water Pollution Control Authority Meeting**  
**June 25, 2014**

The Trumbull Water Pollution Control Authority held their monthly meeting on Wednesday, June 25, 2014 at 7:00 p.m. in the Long Hill Room, Town Hall, 5866 Main Street, Trumbull, Connecticut.

Members Present:

Jeffrey Wright, Chairman  
Fred Palmieri, Vice Chairman (left 8:15)  
Laura Pulie  
Timothy Hampford, Secretary

Also Present:

Frank M. Smeriglio, PE, Town Engineer  
Dennis Kokenos, Esq. Town Attorney  
Christine Kurtz, Wright-Pierce

Members Absent:

John Gray  
Paul Whetstone, Alternate

**PUBLIC HEARING**

Pursuant to section 7-255 of the Connecticut General Statutes, the Trumbull Water Pollution Control Authority will hold a Public Hearing, on Wednesday, June 25, 2014 at 7:00 p.m. in the Long Hill Room, Town Hall, 5866 Main Street, Trumbull, Connecticut in accordance with the provisions of an Ordinance of the Town entitled, "Sewer Ordinance of the Town of Trumbull" adopted by the Town Council of the Town of Trumbull effective July 1, 1969 and Section 7-249 and Section 7-249A of the Connecticut General Statutes, Revision of 1958 as amended. Notice is hereby given that a Sewer Assessment is proposed to be levied by the Town of Trumbull on the following properties:

<u>NAME</u>	<u>LOCATION</u>	<u>NUMBER</u>	<u>MAP</u>	<u>PARCEL</u>
Baywest Construction LLC (or current owner)	Tashua Lane	11	D/04	00268
Cullina, Joseph C. Jr. & Karen M.	Old Dike Road	74	I/07	00162
Faraldi, Timothy J.	Old Dike Road	72	I/07	00066

Chairman Wright convened the meeting and opened the public hearing at 7:06 p.m. He read the public hearing notice into the record. The chairman asked if anyone was present for Baywest Construction and there was no response. The chairman asked if there was anyone present for Joseph C. or Karen M. Cullina of Old Dike Road and there was no response. The chairman asked if anyone was present for Timothy J. Faraldi of 72 Old Dike Road. Mr. Faraldi was present and stated he would like to address and what he and have started to discuss is understanding how the assessment works. As a new purchaser of this home this was something that was undisclosed to him throughout the purchase and something clearly that was assessed and issued prior to the house, it is a new built construction. He is working with Frank to try to understand the process as well as how everything had gone about when the properties were originally assessed and how the subdivision assessments work. Frank gave a brief background of the 3 properties. Back in February 2012 there was an application before the board. A lot was subdivided into 3 parcels, there was an existing house and then there were 2 new empty lots that were created. As part of connecting into the sewer main the applicant had to request to the board permission to connect into the sewer line with these 2 new lots. At that time what was discussed was that we issued permission to connect into the sewer line and we told the applicant of what the assessment was going to be. It

was going to be typical to what was set up for the project at that time. So, we are just going through the formal process of assessing those 3 lots and notices were sent to the property owners explaining what the assessments were going to be and then what the options are for repayment of that assessment. Basically the repayment is you can either pay the full amount in one lump sum; pay the amount in 18 annual payments with an interest rate of whatever the interest rate was established during that project; or pay in four equal quarterly installments over the 18 year period. So, this is a public hearing for the residents who have any questions to go over them and Tim does have questions. Frank said ultimately today the commissioners will have to vote on whether the assessment is approved so that we can then continue the process of the notifications and billing them. He thinks maybe vote on the Tashua Lane one and hold off on the Old Dike one until next month while he works with Tim to answer his questions. Commissioner Pulie noted the original house that was there, the existing house, was assessed, they were provided the lateral so since then 2 lots were created – one lot was converted to 3 parcels – 1 with the existing house and 2 new lots. So there has to be 2 new laterals installed which hasn't been provided for and that was done already when they built the house. Commissioner Pulie confirmed with Mr. Faraldi that when he bought the house it had city water and sewers. He said no one told him he was going to be assessed and a brief discussion followed relating to contracts and disclosures. He noted he bought the house after the CO and closed after completion. In response to questions and comments regarding standard contracts, disclosures and seller representations Attorney Kokenos said he believes the standard real estate contracts for the Bridgeport Bar Association have a provision that specifically says that there are no notices of assessments or proposed assessments on the property and he thinks there are specific disclosures that mention it as well. Further discussion and comments included seller representations, assessments, hooking into sewer system and legal issues. In response to questions relating to the original owner and original frontage Frank said it appears that frontage that was paid was based on the maximum 175 feet for the entire frontage. Commissioner Pulie explained he did already pay for that he just paid the maximum based on 1 lot. Frank said we will have to continue to discuss this after the public hearing and to take a vote on whether to approve it or postpone until next month's meeting. Chairman Wright asked if there were any other questions or concerns. Mr. Faraldi said he will follow up with Frank.

There being no other questions or comments, the Chairman requested a motion to close the public hearing. MOTION made Palmieri seconded Pulie to close the public hearing at 7:20 p.m. No Discussion. MOTION CARRIED UNANIMOUSLY.

## **REGULAR MEETING**

The Chairman opened the June 25, 2014 monthly meeting of the WPCA at 7:19 p.m.

### **1. Minutes to previous meetings.**

There were no questions, comments or modifications regarding the May 28, 2014 Minutes.

MOTION made Palmieri seconded Pulie to accept the May 28, 2014 Minutes as presented. No discussion. ONE ABSTENTION (Hampford) MOTION CARRIED.

### **2. Contract 4.**

Progress report. Frank Smeriglio said since the last meeting:

Roads: At the last meeting he reported that the remaining four roads were paved and we were doing punch list items on those four roads and those punch list items are completed. We went back and touched up some grass areas on four of the last streets we did late Fall last year.

Easement restoration: Still dealing with easement restoration because they take a while. We finished a restoration and then a tree along the easement fell and now we have to go back and go over the lawn that we just fixed and deal with the tree that fell, the roots and stump. There is still one easement that we still have to deal with from

scratch. It needs tree planting and other things and he has to get it all set up so as soon as the weather breaks the work can be done.

**Injector Pumps:** There are injector pumps that still need to be installed. What is happening is the contractor is taking a long time to complete the last installations so he will be issuing a letter. Frank explained the injector pumps go out to bid with a different vendor so that vendor has been installing pumps as the properties were released. We just cannot get him to complete these last 4 and there was nothing in the bid regarding a deadline. Frank indicated he has retainage from this vendor and he will be issuing a letter to him saying that if we have to go to the number two bidder that we will have to use his retainage to calculate the difference. Commissioner Palmieri wanted to know if we are looking at any potential cost because of this and Frank said the only additional cost would be dealing with a higher cost going to the second vendor. Brief discussion followed. Chairman Wright asked if there were any other questions regarding Contract 4.

### **3. Wright-Pierce Update.**

**Phase 3.** Christine Kurtz said Phase 3 along with Phase 2 and 1 reports for the SSES studies went to the State of Connecticut for their review and approval.

**Phase 4.** They just received the closed circuit TV DVD of the inside of the pipes so their engineers will review that for defects and once that task is done the report can be finalized, draft given go Frank and eventually that will get submitted to the State as well. Frank said he has the Phase 2 drawings and specifications and he has the reports but has not watched the videos yet. He said for Phase 3 we did have a dollar amount in our capital plan to deal and if we need repairs then we have dollar amounts to deal with the I/I repairs.

**I/I Study.** Christine Kurtz said the I/I study is the Phase 2 recommendations went to the State for their approval should the clean water fund funding program get approved. It's a new reserve and they need to approve the plan and specs before it goes to bid if the Town is going to elect to use clean water fund money. This is a new program for this type of work with 20% grant and 80% loan. In anticipation of that happening we are asking them to review the documents. Frank said we have the dollar amount in our capital plan to do this. Since the State came up with funding to potentially pay for a portion of this we are sending the plans up to the State so they can review it and then then we may be able to apply for the money and put these out to bid and try to save some money. Christine noted this is rehabilitation so its full rehab of the pipe. She asked if there were any other questions and there were none.

### **4. Old Business.**

None.

### **5. New Business.**

**Owens, Schine & Nicola Monthly Invoices:**

No invoices this month.

**Ury & Moskow Invoice:**

No invoice this month.

**Law Offices of Benjamin S. Proto, Jr. - Invoice #834 \$1,935.00.** Attorney Kokenos explained Attorney Proto was assisting the town with potential other operations for the services of treatment of waste. He will go into it more in executive session.

MOTION made Pulie seconded Palmieri to approve invoice number 834 from Benjamin S. Proto in the amount of \$1,935.00 for services rendered from March 12 to June 10, 2014. No discussion. MOTION CARRIED UNANIMOUSLY.

**Proposed Bill 5581.** Attorney Kokenos said he received a bulletin that John Marsilio received and forwarded to him. He thought it would be prudent to bring it to the commission's attention. He said there is legislation that is

currently seeking to have appeals from assessments go to the Board of Assessment Appeals. They are looking to add an administrative remedy for sewer assessments. He explained just like tonight when we had the public hearing the statute reads that if somebody is aggrieved they have 21 days from the notice of the assessment that was filed to file a complaint with the superior court. This proposed legislation would then give the person who is assessed the ability to go to the Board of Assessment Appeals to bring an appeal just like you would in a tax appeal. There is a significant amount of descent on this from a lot of people. Mainly because assessments are there to cover the cost that you have for the services being provided. You are taking it out of the WPCA's hands which is supposed to really not be a political body. The WPCA is an appointed body that is supposed to be providing a service here for waste water treatment and you are bringing it out of the WPCA's hands and in a Board of Assessment Appeals, in many Towns' Charters, in an elected position's hands. Also, it is putting it in the hands of someone who really doesn't have much information and background when it comes to why the assessments are levied. It is something that hasn't been done yet but he thought it would be prudent to let the commission know that it's there. The chairman wanted to know the genesis of this and Attorney Kokenos said he doesn't have that information and doesn't know who raised it. Discussion and comments followed relating to fiduciary responsibilities, setting assessments, bonding, concerns, reactions, speculation as to reasons why, needing connections between BAA and WPCA's and other possible WPCA changes that may occur. The chairman will do some research and get back to the commission. After the commissioners review this information Attorney Kokenos said next month he would formulate a response to the representatives or assist the commission in responding if the commission wants him to. Frank noted if it does pass we would have to create an ordinance to make that happen otherwise if we don't create the ordinance it still goes through the courts if there is an appeal. Attorney Kokenos noted if it is a statute that says they are going to do this then there may already be a statute that allows people to do it and it will just be an added power that the BAA has to judicate it rather than just car and real estate tax and personal property and we will have to see how it progresses. It was agreed to research this more and have further discussion next meeting.

MOTION made Wright seconded Palmieri to table further discussion of proposed bill 5581. No Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Discussions for Town of Trumbull proposed 2014-15 user rates. Frank said he has drafts with potential options for different rates. There are still some outstanding scenarios that will be discussed in executive session of some different factors of what is involved with as far as what our rate is. So we will have to discuss a few things in executive session and then come back to this. He said there are 3 options they have to think about. He informed the commission that Bridgeport did set their rate last week at \$5.95 so we have to finalize our rates, our maintenance fees and have a public hearing set up for July's meeting once we finalize our rate so we can then charge for the August billing.

Tighe & Bond. Frank said in a line item in our operating budget we have a value there to help us with consulting services for Contract 4 litigation and Contract 3 litigation. We have an existing purchase order for the 2013-2014 fiscal year and we have to open a new purchase order because we are going into a new fiscal year for 2014-2015. Frank noted for the 2013-2014 fiscal we are under what we approved last year. The commissioners reviewed two proposals for their approval to allow Tighe & Bond to continue to assist in litigation for Contract 3 and Contract 4 doing the same work they have been doing. It is at time and expense and they are working under our attorney's direction. Frank reiterated this is just authorizing the purchase order to use Tighe & Bond and voting on two separate proposals.

MOTION made Hampford seconded Palmieri to accept the Proposal for Contract 4 Project Closeout and Settlement assistance from Tighe & Bond dated June 18, 2014 for a budget amount of \$25,000.00. No Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

MOTION made Hampford seconded Pulie to accept the Proposal from Tighe & Bond for Contract 3 Settlement Assistance dated June 18, 2014 for a budget amount of \$25,000.00. No Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Wright-Pierce. Frank said they are assisting us with our litigation with the City of Bridgeport. We have a purchase order for the 2013-2014 year and we need a new purchase order for fiscal year 2014-2015. He is requesting approval to approve Wright-Pierce's proposal. Christine Kurtz passed out copies to the commissioners for their review. Frank noted we have money budgeted in our account and this is just for the approval so he can pursue a purchase order to have Wright-Pierce's assistance. The chairman asked for a motion for approval of Wright-Pierce's proposal.

MOTION made Palmieri seconded Pulie to approve the Wright-Pierce Proposal dated June 24, 2014 for W-P Project Number 12510A. No Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

#### **6. Executive Session.**

MOTION made Hampford seconded Pulie to move into executive session to discuss preliminary drafts and/or notes as set forth by C.G.S. 1-210(b)(1) and/or discuss with the Town Attorney strategy and negotiations with respect to pending litigation as defined by 1-200(6) and/or to discuss attorney client-privileged information as set forth by 1-210 relating to the following:

- Mark IV – Contract 3 and Contract 4
- Regionalization and/or re-negotiation of Bridgeport Sewer Treatment Contract

No discussion. MOTION CARRIED UNANIMOUSLY.

Remaining in the executive session will be commissioners Fred Palmieri, Laura Pulie, Jeff Wright, Timothy Hampford, Christine Kurtz, Attorney Kokenos and Frank Smeriglio.

At 7:44 p.m. the tape recorder was turned off, the clerk left the room and the commission went into executive session.

At 8:44 p.m. the clerk was called back into the room and the recorder was turned on.

MOTION made Wright seconded Pulie to close executive session and to state for the record that no vote was taken. No discussion. MOTION CARRIED UNANIMOUSLY.

MOTION made Wright seconded Hampford to reopen the regular meeting at 8:45 p.m. No discussion. MOTION CARRIED UNANIMOUSLY.

It was noted for the record that commissioner Palmieri left executive session at 8:15 p.m.

**Public Hearing.** Frank said we had a public hearing earlier this evening about the assessments on three properties and the commission has to take a vote to levy the assessments on the properties so he can initiate the next step. Commissioner Hampford recommended to table Faraldi and he noted Mr. Faraldi was at the hearing. MOTION made Hampford seconded Pulie to table the Faraldi assessment discussion and vote until next meeting. No discussion. MOTION CARRIED UNANIMOUSLY.

MOTION made Hampford seconded Pulie to approve the assessments for Baywest Construction LLC, 11 Tashua Lane and Joseph C. Cullina, Jr. and Karen M. Cullina, 74 Old Dike Road. No discussion. MOTION CARRIED UNANIMOUSLY.

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

There being no other business before the Authority,

MOTION made Wright seconded Pulie to close the June 25, 2014 WPCA meeting at 8:50 p.m. No discussion.

MOTION CARRIED UNANIMOUSLY.

Submitted by,

*Joyce Augustinsky*  
Clerk of the Commission

## OLR Bill Analysis

sHB 5581

### **AN ACT CONCERNING SEWER ASSESSMENT APPEALS AND THE APPROVAL OF CERTAIN PROPERTY TAX EXEMPTIONS.**

#### **SUMMARY:**

This bill allows municipalities to adopt an ordinance authorizing their boards of assessment appeals to hear appeals of municipal sewer system benefit assessments (i.e., sewer charges not related to a customer's usage). Under current law, anyone contesting a sewer benefit assessment must appeal directly to the Superior Court.

The bill requires owners claiming the property tax exemption for manufacturing or biotechnology machinery and equipment (MME) to annually file a request for the exemption by November 1. Current law for other machinery and equipment-related tax exemptions allows for filing deadline extensions and retroactive exemption approval. The bill extends these provisions to include the MME exemption. It also allows the board of selectman to grant retroactive exemptions if the local legislative body is a town meeting.

**EFFECTIVE DATE:** October 1, 2014. The MME exemption filing requirement is applicable to assessment years starting on or after October 1, 2014.

#### **SEWER BENEFIT ASSESSMENT APPEALS**

The bill allows municipalities to adopt ordinances authorizing their boards of assessment appeals to hear benefit assessment appeals related to a municipal sewer system. An appeal to the board must be made within 21 days after the assessment is filed in the town clerk's office. The ordinance must specify the process for filing, hearing, and deciding an appeal. Within 21 days after the board renders its decision, an aggrieved party may appeal the board's decision to the Superior Court under the same process the court must otherwise use for these appeals.

In municipalities that do not adopt such an ordinance, anyone aggrieved by a sewer benefit assessment must appeal to the Superior Court, as under current law.

#### **CLAIMING THE MME EXEMPTION**

The bill requires owners claiming the MME exemption to apply to local assessors, on a form they prescribe, by November 1 annually.

#### ***Filing Extension***

For certain other machinery and equipment-related tax exemptions with November 1 application deadlines, the law allows an assessor or board of assessors to extend the deadline to December 15, if an applicant requests it and pays a late fee. The bill extends this

provision to also allow extensions for MME exemptions. Unless waived, the late fee is as follows:

<i>Assessed Value of Property</i>	<i>Fee</i>
\$100,000 or less	\$50
\$100,001 - \$249,999	\$150
\$250,000 - \$499,999	\$250
\$500,000 or more	\$500

***Retroactive Exemption***

The bill also extends to the MME exemption a law allowing a municipality, by vote of its legislative body, to grant certain retroactive machinery and equipment-related exemptions to an applicant who misses both the regular and extended filing deadlines. As is the case for these other exemptions, a municipality may set criteria for granting a retroactive MME exemption, including consideration of (1) a hardship that may account for the applicant's failure to meet the deadlines and (2) whether the exemption provides a net benefit to the municipality's economic development.

The bill additionally specifies that if the legislative body is a town meeting, the board of selectman can grant the retroactive exemption. This provision is applicable to MME exemptions and exemptions for:

1. manufacturing or service facilities in distressed municipalities, targeted investment communities, enterprise zones, or airport development zones (CGS § 12-81(59));
2. machinery and equipment in such facilities (CGS § 12-81(60));
3. machinery and equipment used to upgrade a manufacturing process (CGS § 12-81(70));
4. machinery and equipment used in manufacturing, recycling, and biotechnology facilities (CGS § 12-81(72)); and
5. large commercial trucks (CGS § 12-81(74)).

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable Substitute

Yea 20 Nay 0 (03/25/2014)

Connecticut  
Association of  
Water  
Pollution  
Control  
Authorities, Inc.

P.O. Box 230172  
Hartford, CT 06123-0172



**CONNECTICUT ASSOCIATION OF  
WATER POLLUTION CONTROL AUTHORITIES**

March 21, 2014

Connecticut General Assembly  
Planning and Development Committee  
Legislative Office Building  
Hartford, Connecticut 06106

Attention: Chairwoman Senator Osten, Chairman Rojas, Senator Cassano, Representative Fox,  
Ranking Member Senator Fasano, and Representative Aman

Subject: *OPPOSITION OF RAISED BILL-5581; An Act Authorizing Sewer Assessment Appeals To  
Be Made To The Board of Assessment Appeals*

The Connecticut Association of Water Pollution Control Authorities is a statewide association open to WPCAs and public entities authorized to own or operate wastewater systems. With over 40 active members providing wastewater services to nearly 1,000,000 citizens in the state, we are pleased to submit comments on their behalf regarding Senate Bill-5581; *An Act Authorizing Sewer Assessment Appeals To Be Made To The Board of Assessment Appeals*

Pursuant to Connecticut General Statutes Chapter 103 Section 7-249, Water Pollution Control Authorities may levy benefit assessments upon properties that benefit from the work of their WPCA. In accordance with Section 7-250, no assessment shall be made until a duly called public hearing at which time the owner of the property to be assessed shall have the opportunity to be heard. When the water pollution control authority has determined the amount and has duly notified the property owner of that amount any person aggrieved by any assessment may appeal to the superior court in the judicial district wherein the property is located.

As drafted, the proposed legislation would effectively create veto authority for elected officials whose interests may not be consistent with the efficient operation of a wastewater treatment system. This veto authority would circumvent the establishment of fair and reasonable assessments. This legislation, if adopted, would effectively give veto power to the Board of Assessment Appeals who may represent minority interests and risk the ability of a WPCA to meet discharge requirements. This may result in causing environmental pollution and put the WPCA at risk of permit violations and fines. Such legislation would require every WPCA to seriously consider if it would be economically feasible or prudent to continue to serve the future sewer needs of customers within its own city/town limits.

The current State Statutes defining the powers of the Water Pollution Control Authorities were drafted to insulate the operations of WPCA's from general government. This would insure that wastewater facilities were operated, funded and managed without local political or governmental interference. This insured that the environmental aspects of the sewer works would have primacy in all decision making.

To amend statutes and cloud this clear separation of powers that the WPCA statutes envisioned, would diminish the authority of the WPCA's, and put into conflict the WPCA's decisions with judgments of a publically elected Board of Assessment Appeals.

Finally, this bill authorizes sewer assessment appeals "by local option" creating a very unfair platform between WPCA's especially when one considers many adopted assessment formulas do not rely on the assessed value of a property when determining the sewer assessment.

Given there are already many opportunities for all impacted property owners to participate in the assessment process and appeal the charges should they feel aggrieved, there is no reason to create the veto authority proposed by this legislation. The proposed bill is an example of the burdensome regulatory requirements that this legislation and Governor are attempting to eliminate. Therefore, we strongly encourage you to oppose this legislation. Thank you for this opportunity to comment.

Vincent F. Susco, Jr  
President, CAWPCA  
PO Box 230172  
Hartford, CT 06123-0172

***Owens, Schine & Nicola, P.C.***

799 Silver Lane  
P.O. Box 753  
Trumbull, CT 06611

Ph:203-375-0600

Fax:203-375-5003

Town of Trumbull  
5866 Main Street  
Trumbull, CT 06611

July 18, 2014

**Attention:** Maria Pires

File #: 14010-04015

Inv #: 13732

**RE:** BRIDGEPORT REGIONALIZATION SEWER AGREEMENT

<b>DATE</b>	<b>DESCRIPTION</b>	<b>HOURS</b>	<b>LAWYER</b>
May-27-14	Correspondence to client re: Bridgeport notice.	0.10	DJK
	Memo to DLC re: return date.	0.20	DJK
	Perform legal research for DJK re: limitations and restrictions on timing of filing an appeal.	0.50	DLC
May-28-14	Correspondence to title searcher.	0.20	DJK
	Meeting with First Selectman.	1.50	DJK
May-29-14	Review answers, SD's and counter claims of defendant in December action. Review motion to re-argue. Conference with DLC re: motion to re-argue.	3.00	DJK
Jun-02-14	Correspondence to title searcher re: sewer public notice. Telephone call with clerk.	0.30	DJK
	Telephone call with John Marsillio.	0.30	DJK
	Finalize objection to motion to re: argue. Correspondence to court. Correspondence to opposing attorneys.	3.50	DJK
	Review file and perform legal research re: ;motion for re-argument. Draft opposition brief re: motion for re-argument.	5.50	DLC

Jun-09-14	Meeting with Attorney Proto. Correspondence to W&P re: meeting. Review plan of operation and potential bylaws.	3.50	DJK
Jun-10-14	Meeting with DJK re: Stratford wastewater.	0.30	DLC
Jun-11-14	Correspondence from/to First Selectman and Public Works Director.	0.20	DJK
	Telephone call with Robinson & Cole re: markings.	0.20	DJK
	Review draft email for DJK. Perform legal research.	0.10	DLC
Jun-19-14	Drafting rate appeal.	3.50	DJK
Jun-20-14	Drafting rate appeal and legal research re: constitutional claims.	2.50	DJK
	Performing legal research re: viability of taking claim. 1983 claim. Perform legal research re: case law on rate appeals in rates appeal in other state.	4.00	DLC
Jun-22-14	Legal research re: taking, 1983 and due process constitutional claims. Review case re: return date. Drafting complaint.	2.50	DJK
Jun-23-14	Drafting rate appeal.	6.00	DJK
Jun-24-14	Drafting rate appeal.	7.00	DJK
	Legal research re exterritorial water treatment rate setting. Review treatise and tab relevant law for DJK review. Perform legal research re: equal protection claim. Draft equal protection allegations.	5.50	DLC
Jun-25-14	Drafting rate appeal. Email to W&P re: rate appeal.	4.00	DJK
Jun-26-14	Drafting rate appeal. Legal research re: constitutional claims.	3.50	DJK
	Begin review assessment appeal complaint and proposing revisions.	2.00	DLC
Jun-27-14	Drafting and revisions to rate appeal. Telephone call with Attorney Hug. Telephone call with Attorney Friedman. Correspondence to/from Attorney Friedman.	3.50	DJK
	Review sewer system map prepared by W&P. Correspondence from/to Christine Kurtz.	1.50	DJK

Jun-29-14	Review W&P revisions to rate appeal.	1.00	DJK
Jun-30-14	Finalize rate appeal and summons. Correspondence to W&P.	1.20	DJK
	Correspondence from court. Correspondence to Attorney Hug.	0.10	DJK
	Meeting with Attorney Smith and Attorney Friedman.	0.80	DJK
	Totals	68.00	\$13,600.00
	<b>Total Fee &amp; Disbursements</b>		<b>\$13,600.00</b>
	Previous Balance		34,361.40
	<b>Balance Now Due</b>		<b>\$47,961.40</b>

**TIMEKEEPER  
SUMMARY**

DJK	50.10	\$10,020.00
DLC	17.90	\$3,580.00

**Owens, Schine & Nicola, P.C.**

799 Silver Lane  
P.O. Box 753  
Trumbull, CT 06611

Ph:203-375-0600

Fax:203-375-5003

Town of Trumbull  
5866 Main Street  
Trumbull, CT 06611

July 18, 2014

**Attention:** Maria Pires

File #: 14010-04035  
Inv #: 13733

**RE:** Mark IV - Contract 4 Litigation

<b>DATE</b>	<b>DESCRIPTION</b>	<b>HOURS</b>	<b>LAWYER</b>
May-28-14	Revise Correspondence to Judge Agoti. Correspondence from/to Attorney Cohane.	0.50	DJK
Jun-02-14	Correspondence to Judge Agati re: status. Correspondence to Attorney Cohane.	0.50	DJK
Jun-09-14	Preparation for status conference. Attendance at Waterbury Court re: status.	3.50	DJK
Jun-13-14	Correspondence to Attorney Cohane.	0.10	DJK
Jun-16-14	Correspondence to Attorney Cohane. Revise scheduling order.	0.50	DJK
	Totals	5.10	\$1,020.00
	<b>Total Fee &amp; Disbursements</b>		<b>\$1,020.00</b>
	Previous Balance		540.00
	<b>Balance Now Due</b>		<b>\$1,560.00</b>

**TIMEKEEPER  
SUMMARY**

DJK	5.10	\$1,020.00
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**Owens, Schine & Nicola, P.C.**

799 Silver Lane  
P.O. Box 753  
Trumbull, CT 06611

Ph:203-375-0600

Fax:203-375-5003

Town of Trumbull  
5866 Main Street  
Trumbull, CT 06611

July 18, 2014

**Attention:** Maria Pires

File #: 14010-04038

Inv #: 13734

**RE:** Mihaley - Town of Trumbull WPCA Sewer Assessment Appeal

<b>DATE</b>	<b>DESCRIPTION</b>	<b>HOURS</b>	<b>LAWYER</b>
May-23-14	Correspondence from Attorney Tahlburg re: motion to dismiss.	0.20	DJK
	Review compliant and status of pleadings.	0.80	DJK
	Correspondence to Attorney Tahlburg. Memo to DLC.	0.50	DJK
Jun-10-14	Begin reviewing file.	0.50	DLC
Jun-11-14	Meeting with Attorney Tallburg. Conference with Attorney Callahan. Review motion to dismiss.	1.50	DJK
	Correspondence to T&B re: cost analysis for proposed changes.	0.20	DJK
	Correspondence to Attorney Tahlburg.	0.20	DJK
Jun-12-14	Research code re: extension to connect. Call to DEEP re: waiver to connect.	1.50	DJK
Jun-13-14	Telephone call to Town Engineer. Review state health code re: refusal to connect to sewer system. Telephone call to Trumbull/Monroe health district.	1.50	DJK
	Totals	6.90	\$1,380.00
	<b>Total Fee &amp; Disbursements</b>		<b>\$1,380.00</b>

Previous Balance 362.50

**Balance Now Due** 362.50  
**\$1,742.50**

**TIMEKEEPER  
SUMMARY**

DJK	6.40	\$1,280.00
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DLC	0.50	\$100.00
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Town of Trumbull  
5866 Main Street  
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July 18, 2014

**Attention:** Maria Pires

File #: 14010-04038

Inv #: 13734

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**TIMEKEEPER  
SUMMARY**

DJK	6.40	\$1,280.00
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DLC	0.50	\$100.00
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**URY & MOSKOW, L.L.C.**

883 Black Rock Turnpike  
Fairfield, CT 06825

Ph:(203) 610-6393

Fax:(203) 610-6399

Town of Trumbull

Jul 01, 2014

Owens Shine & Nicola  
799 Silver Lane  
Trumbull, CT 06611

Attention: Robert Nicola

File #: 10408

Inv #: 62520

RE: Contract Dispute- Town of Trumbull v Mark 4 Construction, et al

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jun-20-14	Review of defendant Mark IV's compliance - answers to interrogatories, attachments, disc containing applications for payments and other items; draft/prepare summary; email summary to NLM.	3.00	750.00	SDO
Jun-23-14	Review of documents, Correspondence with opposing counsel	1.00	325.00	NLM
	Total Fees	4.00	\$1,075.00	

**DISBURSEMENTS**

**Disbursements**

Copies 200.40

Total Disbursements \$200.40

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**Total Invoice \$1,275.40**

Previous Balance \$3,130.00

Previous Payments \$3,130.00

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**Balance Due Now \$1,275.40**