

WATER POLLUTION CONTROL AUTHORITY

# Town of Trumbull

CONNECTICUT

TOWN HALL  
(203) 452-5048



5866 MAIN STREET  
TRUMBULL, CT 06611

**OCTOBER 22, 2014**  
**7:00 p.m. Long Hill Room**

## 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
  - 6448 Main Street – Cooling Tower Discussion
5. New Business
  - MGM Properties, LLC, 6528 Main Street – Sewer Connection Request
  - The Kennedy Center, Inc, 2440 Reservoir Avenue– Sewer Connection Request
  - Owens, Schine & Nicola: monthly invoices
  - Ury & Moskow: monthly invoices
  - CCR LLP: 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), matters concerning public officials or employees per C.G.S. 1-200 (6) 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
    - Assessment – 72 Old Dike Road
7. Any other business that may come before the Authority.

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**MINUTES**  
**Water Pollution Control Authority Meeting**  
**September 24, 2014**

The Trumbull Water Pollution Control Authority held their monthly meeting on Wednesday, September 24, 2014 at 7:02 p.m. in the Long Hill Room, Town Hall, 5866 Main Street, Trumbull, Connecticut.

Members Present:

Jeffrey Wright, Chairman  
Fred Palmieri, Vice Chairman  
Laura Pulie  
John Gray

Members Absent:

Paul Whetstone, Alternate  
Timothy Hampford

Also Present:

Frank M. Smeriglio, PE, Town Engineer  
Dennis Kokenos, Esq. Town Attorney  
Christine Kurtz, Wright-Pierce  
Maria Pires, Director of Finance  
John Marsilio

**REGULAR MEETING**

Chairman Wright called the September 24, 2014 meeting of the Trumbull WPCA to order at 7:02 pm.

1. **Minutes to previous meeting.**

There was one modification to the July 23, 2014, modifying "Injector Pumps" to read "Ejector Pumps" in "2. Contract 4:" No further questions, comments or modifications.

MOTION made Palmieri, seconded Pulie to accept the July 23, 2014 minutes as amended. No discussion.  
MOTION CARRIED UNANIMOUSLY.

2. **Contract 4.**

Progress report. Frank Smeriglio reported since the last meeting:

Easement Restoration: 1 of the 2 easements is completed. 1 other easement remains to be restored. The remaining easement is approximately 1,000 feet, through a wooded area and will include planting of additional trees.

Paving: all paving is completed.

Ejector pumps: There were 20 to be installed at a cost of \$6,000 from the low bid. There are 7 ejector pumps remaining to be installed, in random spots around the town. Installation involves no road work, only lawn work. They need to be installed because the sewer pipes are at a certain depth and the pumping is needed to bring it up to the pipe. The contractor has not returned to do the work. It should have been completed by the beginning of this year. If not complete by a certain date, will be turned over to Town Attorney. The options are to keep the retainer and apply the funds to the 2<sup>nd</sup> bidder or rebid the project. There is approximately \$10,000 to \$11,000 retained with no bond. Unsure of cost to complete. Ideally the project would be complete by the end of the year, but a more realistic date is the spring. The Town attorney will research the contract to see if there is any breach of

contract, with the possibility to bring an action for damages. He believes there is no liquidated damages clause in the contract.

**3. Wright-Pierce Update.**

Phase 3. Christine Kurtz said Phase 3, as well as Phase 2, as previously reported, are with the State for review. The State is reviewing design components to mitigate water infiltration in the sewer lines in each area (i.e. Ground water). Because there is grant money available to pay for a portion of the work, the State reviews the plans. The Phase 2 design is with the State for review. We are asking the facility engineer that works with Trumbull to hold on to it so we can add Phase 3 to it. The program Frank refers to is a 20% grant, 80% loan, first come first served. Part of the service is to identify areas that need immediate repairs, which we have begun. We have done 16 point repairs since the summer, 3 complete pipelines replaced and another 7 remaining which are budgeted for.

Phase 4. Christine Kurtz said we are at the end of the review of the CCTV (closed circuit cameras of the inside of the pipes). Engineer will look at the review and rank the areas between 1-5 based on what is cost effective to rehab and recommend that. Older pipes are composed of clay, cast iron, concrete. They are rehabbed by lining either a section, replace a small section, replace a whole pipe. Lining happens manhole to manhole, underground, without disrupting the street. Lining has 20-50 years life expectancy.

I/I Study. No discussion.

**4. Old Business.** None.

MOTION made Wright, seconded Palmieri to discuss new business. No discussion. MOTION CARRIED UNANIMOUSLY.

**5. New Business.**

Owens, Schine & Nicola Monthly Invoices:

Invoice 13793 – Mihaley v Town of Trumbull WPCA - \$280.00

MOTION made Pulie seconded Palmieri to approve to pay Owens, Schine & Nicola invoice 13793 in the amount of \$280.00. No discussion. MOTION CARRIED UNANIMOUSLY.

Invoice 13791 – Bridgeport Regionalization Sewer Agreement - \$10,035.21

MOTION made Palmieri seconded Pulie to approve to pay Owens, Schine & Nicola invoice 13791 in the amount of \$10,035.21. No discussion. MOTION CARRIED UNANIMOUSLY.

Invoice 13792 – VonStein v Town of Trumbull WPCA- \$1,500.00

Discussion by the Commissioners. Atty Kokenos indicated that they had made many attempts to settle the claim. The claim is for sewer assessment appeal, the plaintiff believes the benefits are of lesser value than the assessment. The Courts are forcing cases to move forward, the plaintiff has not responded, there is no option but to move forward with trial as there is no other appeal venue than trial. Trial will likely occur early 2015.

MOTION made Wright seconded Palmieri to approve to pay Owens, Schine & Nicola invoice 13792 in the amount of \$1,500.00. MOTION CARRIED UNANIMOUSLY

Invoice 13794 – Mark IV – Contract 4 Litigation - \$8,320.00

Commissioners reviewed the invoice.

MOTION made Wright seconded Pulie to approve to pay Owens, Schine & Nicola invoice 13794 in the amount of \$8,320.00. MOTION CARRIED UNANIMOUSLY.

Ury & Moskow Invoices:

Invoice 62843 – Contract Dispute – Town of Trumbull v. Mark IV Construction - \$1,030.00

MOTION made Wright seconded Palmieri to approve to pay Ury & Moskow invoice 62843 in the amount of \$1,030.00. No discussion. MOTION CARRIED UNANIMOUSLY.

Invoice 62842 – Litigation – v Regional Water Authority - \$150.00

MOTION made Wright seconded Palmieri to approve to pay Ury & Moskow invoice 62842 in the amount of \$150.00. No discussion. MOTION CARRIED UNANIMOUSLY

Invoice 62975 – Contract Dispute – Town of Trumbull v. Mark IV Construction \$712.50

MOTION made Wright seconded Palmieri to approve to pay Ury & Moskow invoice 62975 in the amount of \$712.50. No discussion. MOTION CARRIED UNANIMOUSLY.

Executive Session.

MOTION made Wright seconded Palmieri to move into executive session to discuss preliminary drafts and/or notes as set forth by C.G.S. 1-210 (b)(1), matters concerning public officials or employees per 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 renegotiation of Bridgeport sewer treatment contractor
- Assessment – 72 Old Dike Road
- WPCA Personnel

Remaining in the executive session will be commissioners Jeffrey Wright, Fred Palmieri, Laura Pulie, John Gray Frank Smeriglio, Maria Pires and Attorney Dennis Kokenos. Christine Kurtz and John Marsilio left the meeting. No discussion. MOTION CARRIED UNANIMOUSLY.

**6. Executive Session**

At 7:45 p.m. the tape recorder was turned off, the clerk left the room and the Commission went into executive session.

At 9:10 p.m. the clerk was called back into the room and the recorder was turned on.

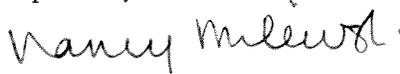
MOTION made Wright seconded Palmieri to close executive session and to state for the record that no vote was taken. No discussion. MOTION CARRIED UNANIMOUSLY.

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

MOTION made Wright seconded Palmieri to approve making a supplemental appropriation from the WPCA Return to Earnings Account: \$67,720 to be broken up as follows: \$48,973 moved to WPCA Salaries Full Time Account 20100000-501101, the remaining \$18,747 moved to WPCA General Fund 20100000-52210. No discussion. MOTION CARRIED UNANIMOUSLY.

There being no other business before the Authority, MOTION made Wright, seconded Palmieri to adjourn the September 24, 2014 WPCA meeting at 9:12 p.m. No discussion. MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

  
Nancy Milewski  
Substitute Clerk



**Spath-Bjorklund Associates, Inc.**

*A member of the SB Group of Companies.*

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203 268 5216 • 800 246 7113 • fax 203 268 9492

e-mail: sba@thesbgroup.com  
website: www.thesbgroup.com

October 8, 2014

Jeffrey Wright-Chairman  
Trumbull Sewer Commission  
Trumbull Town Hall  
5866 Main Street  
Trumbull, CT 06611

Re: 6528 Main Street  
Proposed sewer connection

**RECEIVED**

**OCT 10 2014**

Water Pollution  
Control Authority

By \_\_\_\_\_

Dear Mr. Chairman,

On behalf of MGM Properties, LLC we are requesting to be included on the October 22, 2014 meeting agenda of the Trumbull Sewer Commission.

Our client is proposing the construction of a 7280 sf retail building with a 6" diameter sewage lateral to be tied into the existing sewer traversing from Main Street to Broadway.

A site plan showing the proposal is enclosed.

If we can be of further assistance in this matter, please do not hesitate to contact our office.

Very truly yours,  
Spath-Bjorklund Associates, Inc.

A handwritten signature in cursive script, appearing to read 'Nicholas D. Clark', with a long horizontal flourish extending to the right.

Nicholas D. Clark  
encl.  
Cc File 5786x1



**Spath-Bjorklund Associates, Inc.**

*A member of the SB Group of Companies.*

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October 8, 2014

Jeffrey Wright-Chairman  
Trumbull Sewer Commission  
Trumbull Town Hall  
5866 Main Street  
Trumbull, CT 06611

**RECEIVED**

**OCT 10 2014**

Water Pollution  
Control Authority

Re: 2440 Reservoir Avenue and Woodside Avenue  
Proposed sewer connection

By \_\_\_\_\_

Dear Mr. Chairman,

On behalf of The Kennedy Center, Inc. we are requesting to be included on the October 22, 2014 meeting agenda of the Trumbull Sewer Commission.

Our client is proposing the construction of a 1500 sf garage/storage building with a pump station and a 2" force main to be tied into the existing sewer in Woodside Avenue.

A site plan showing the proposal is enclosed.

If we can be of further assistance in this matter, please do not hesitate to contact our office.

Very truly yours,  
Spath-Bjorklund Associates, Inc.

Nicholas D. Clark  
encl.  
Cc File 1798



CCR LLP  
1400 Computer Drive  
Westborough, MA 01521

ID: 37224  
Invoice # TRUMBULL01

Town of Trumbull  
5866 Main Street  
Trumbull, CT 06611

September 28, 2014

For document review and discussions with the Town regarding the Forensic Consulting Services Report for the Town of Trumbull, Connecticut, Water Pollution Control Authority dated August 24, 2010

<u>Date</u>	<u>Name</u>	<u>Rate</u>	<u>Time</u>	<u>Total</u>
September 10, 2014	Catherine Parente	\$300/hour	2 hours	\$600.00
September 12, 2014	Catherine Parente	\$300/hour	5 hours	\$1,500.00
September 15, 2014	Catherine Parente	\$300/hour	1.75 hours	\$525.00
September 16, 2014	Catherine Parente	\$300/hour	1 hour	\$300.00
September 17, 2014	Catherine Parente	\$300/hour	3 hours	\$900.00
September 18, 2014	Catherine Parente	\$300/hour	<u>6 hours</u>	<u>\$1,800.00</u>
		<b>TOTAL</b>	<b><u>18.75 hours</u></b>	<b><u>\$5,625.00</u></b>

*Payment due upon receipt.*

Pay to the order of:  
CCR LLP  
c/o Louise Pappas  
1400 Computer Drive, Suite 300  
Westborough, MA 01521