

WATER POLLUTION CONTROL AUTHORITY
Town of Trumbull
CONNECTICUT

TOWN HALL
(203) 452-5048



5866 MAIN STREET
TRUMBULL, CT 06611

JUNE 22, 2016
7:00 p.m. at Trumbull Town Hall

MEETING AGENDA

PUBLIC HEARING
June 22, 2016
2016 ASSESSMENT
TRUMBULL, CONNECTICUT

Pursuant to section 7-255 of the Connecticut General Statutes, the Trumbull Water Pollution Control Authority will hold a Public Hearing, on Wednesday, June 22, 2016 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 property:

<u>NAME</u>	<u>LOCATION</u>	<u>NUMBER</u>	<u>MAP</u>	<u>PARCEL</u>
Josette Keklik and Anthony Tsingerliotis (or current owner)	Mohawk Drive	6	G/04	18

Dated this 11th day of June, 2016
Trumbull Water Pollution Control Authority, Jeffrey Wright, Chairman

- Minutes to previous meeting(s):
 - May 25, 2016 regular meeting minutes and;
 - June 7, 2016 special meeting minutes
- New Business:
 - 48 Skyview Drive
 - Owens, Schine & Nicola monthly invoices
 - Ury & Moskow monthly invoices
- Old Business:
 - Mark IV – Contract 3 and Contract 4
 - Bridgeport sewer treatment contract
- Any other business that may come before the Authority.

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5866 MAIN STREET
 TRUMBULL, CT 06611

June 11, 2016

Josette Keklik and Anthony Tsingerliotis
 88 Elm Street
 Monroe, CT 06468

Dear Homeowner:

The following is the Sewer Assessment in the amount of \$21,203.00 for your property at 6 Mohawk Drive, Trumbull, CT 06611. Information about this assessment was discussed with Mr. Joseph Giacobbe at the WPCA meeting dated September 23, 2015.

A Public Hearing will be held on June 22, 2016 at 7:00 p.m. in the Long Hill Room, Trumbull Hall, 5866 Main Street, Trumbull, Connecticut to consider your proposed sewer assessment. You will have the opportunity to be heard, about your proposed sewer assessment at the hearing.

Residential property assessment is determined based on the following 3 items:

1. A flat fee of \$500 per lot; plus
2. A charge of \$138.02 per linear foot of assessed road frontage. You shall be charged for your actual road frontage, subject to the minimum and a maximum footages referred to below in order to adjust for lot sizes. Corner lots will be assessed for only one side of frontage, which shall be the side bordered by the sewer line - or the shorter side if both sides are bordered by the sewer line.

3. LOT SIZE	LIMITS		FEET
Up to .499 acre	Min.	80'	Max. 125'
From .500 to .999 acre		125'	150'
From 1.00 acre		150'	175'

Your assessment is: 1 Unit @ \$ 500.00 = \$500.00
 150 Front Feet & .87 Acre @ \$ 138.02 = 20,703.00
FOR A TOTAL ASSESSMENT OF: 21,203.00

You have the option of paying your specific assessment as shown above in one of the three (3) following ways:

- (a) Payment in full of \$21,203.00 within 30 days of first billing **OR**
- (b) Make an initial payment of \$500 (In 4 - \$125.00 installments due quarterly in the first year at 0.0% interest), plus 20 Annual Payments \$1,533.24 at a bonded interest rate of 3.804% **OR**

- (c) Make an initial payment of \$500 in the first year (In 4 - \$125 quarterly installments in the first year at 0.0% interest), plus 20 Annual Payments at a bonded interest rate of 3.804% paid in 4 equal quarterly installments of \$383.30 per year starting, both invoices starting on July 1, 2016.

A formal bill from the Tax Collector will be sent. Starting July 1st of each year thereafter the bonded interest will be due in full on the outstanding balance if not paid in full.

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5866 MAIN STREET
TRUMBULL, CT 06611

**MAY 25, 2016
MINUTES**

MEMBERS PRESENT:

Jeffrey Wright, Chairman
Fred Palmieri, Vice Chairman

ALSO PRESENT:

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

MEMBERS ABSENT:

John Gray
Timothy Hampford
Laura Pulie
Paul Whetstone, Alternate
Richard Boggs, Alternate

Chairman Wright stated at 7:28 p.m. that a quorum was not present therefore no meeting was held.

Respectfully Submitted,

Colleen Lombardo, Clerk

WATER POLLUTION CONTROL AUTHORITY
Town of Trumbull
CONNECTICUT

TOWN HALL
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5866 MAIN STREET
TRUMBULL, CT 06611

June 7, 2016
MINUTES

CALL TO ORDER: The Chair called the special meeting of the Trumbull Water Pollution Control Authority to order at 7:06 p.m.

MEMBERS PRESENT:

Jeffrey Wright, Chairman
Fred Palmieri, Vice Chairman
Timothy Hampford
Paul Whetstone, Alternate
Richard Boggs, Alternate

ALSO PRESENT:

Frank M. Smeriglio, PE, Town Engineer
Dennis Kokenos, Esq. Town Attorney

MEMBERS ABSENT:

John Gray
Laura Pulie

1. New Business:

▪ Holy Cross Lutheran Church

Mr. Dan Senft, Holy Cross Church Property Director was present. Mr. Senft asked the commission to help facilitate a solution with regard to either separating the church and parsonage's sewer usage or to help offset the cost of running a new line to the street. Mr. Senft gave a brief overview as follows:

- The parsonage was built in 1960. The church and parsonage were finished in 1962. In September 2015 the church was contacted by Aquarion notifying them there may be a leak. The leak was confirmed by a plumber and was near the parsonage. It was discovered there was one meter which meters both the church and parsonage. The parsonage is on septic and the church is on the sewer system. They have paid sewer usage fees as if both structures were on sewers since sewers were made available. Aquarion quoted \$10,000 to run a new second line.

The commission suggested installing a second meter. Mr. Senft stated Aquarion had indicated to him installing a second meter would not be to code. Mr. Smeriglio stated in the case where there is a second meter for an irrigation system, there is usually one line from the street that would split into 2 lines. One meter for a house and the second meter for the irrigation system. Mr. Smeriglio explained that Trumbull pays the sewer usage directly to Bridgeport based on the metered readings. The Chair indicated that Trumbull is essentially the middle man. Mr. Senft confirmed they had received a credit from both the Town of Trumbull and Aquarion for the leak. After further review it was noted that the Town of Trumbull cannot dictate Aquarion. The question

is how to separate the flows that would be acceptable to all parties. The Chairman suggested the church may need counsel on this. The septic system for the parsonage is three years old. Mr. Smeriglio explained when sewers were made available if they were to stay on the septic they should have made an application for an Extension of Time. That was not done. Mr. Senft further explained the cost to connect the parsonage is expensive due to the distance to the street is 300 yards and also needs a pump. The church does not have a sprinkler system and does not water the lawns. Mr. Senft asked the commission the Town to cover the cost if they were to run a separate line to the street. Attorney Kokenos explained the commission's funding comes from the rate payers, so what they do for one they have to do for all. The commission constantly has to consider. The Chair explained that could not be done, over the years there have been similar requests made and the answer has to be the same. Mr. Senft stated the church has been paying the usage fees for many years. The commission noted the fees are paid to Bridgeport. After further discussion and review the commission determined since usage is dictated by Bridgeport, and Aquarion has conveyed to the church it would not be to code installing a second meter, the church would be best served to hire counsel to help define their request to Aquarion. Mr. Senft thanked the commission for their time on this matter.

- FY 2016-2017 Transfer \$3,080 from 20100000-501101 Salaries-FT/Permanent to 20100000-501103 Salaries-Seasonal/Temp

Moved by Palmieri, seconded by Hampford to approve the FY 2016-2017 Transfer \$3,080 from 20100000-501101 Salaries-FT/Permanent to 20100000-501103 Salaries-Seasonal/Temp.

Mr. Smeriglio explained last July a Civil 1 engineer position was created and filled. A month ago that person resigned and has since left. The position has been advertised. At best the department would be able to fill the position by August. This transfer represents hiring an intern to work in the interim. The request is for the WPCA to fund 8 weeks of intern work. The Engineering Department will fund the second half of the summer. The intern is a college student, who did his college report on our department last year and is familiar with our department.

VOTE: Motion CARRIED unanimously

Attorney Kokenos reported to the commission that Bridgeport had approved the sewer treatment agreement. It is no longer in litigation, therefore it will not be discussed in executive session. The entire agreement will become part of the next month's meeting minutes.

2. Executive Session: Moved by Palmieri, seconded by Hampford ,
To close the regular meeting and ENTER 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:
 - o Mark IV – Contract 3 and Contract 4VOTE: Motion to enter into Executive Session CARRIED unanimously.

At 7:33 p.m. the tape recorder was turned off and the clerk left the room. The WPCA entered into executive session at 7:33 p.m. with WPCA commissioners, Chairman Jeff

Wright, Vice-Chairman Fred Palmieri, Timothy Hampford, Richard Boggs, Paul Whetstone, Town Attorney Dennis Kokenos, Town Engineer Frank Smeriglio, P.E. and Fred Mascia of Tighe & Bond 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.

The clerk was called back to the meeting and the recorder was turned back on at 8:06 p.m. Moved by Palmieri, seconded by Hampford to end executive session and open the regular meeting. VOTE: Motion CARRIED unanimously.
The WPCA ended executive session and opened the regular meeting at 8:07 p.m.

The Chair noted for the record no vote was taken during executive session.

New Business, (continued):

Moved by Palmieri, seconded by Hampford to authorize the Town of Trumbull WPCA Chairman to sign and execute the Mark IV – Contract 3 and Contract 4 agreements.

Attorney Kokenos explained this item had been presented in executive session to the Town Council L&A Committee yesterday. The two settlement agreements will be made part of the record after approval. Attorney Kokenos requested of the clerk to distribute the agreements to both the BOF and the Town Council for their review before their June 9, 2016 meetings. The agreements require the Chairman's signature as well as the first selectman and suggested the motion should include authorization of the WPCA Chairman to sign and execute the agreements. The Town Council will give authorization to the first selectman to execute the documents. One litigation was a lawsuit brought against the Town by Mark IV where there was over \$5 million in damages claim including retainage, they have compromised the alleged change-orders down to \$1.1 million from \$4 million. We are paying much less than what had been claimed and the Contract 3 litigation the contractor has agreed to come back and fix certain items of work that the Town alleged were defective and also the disputed defects for what is considered to be a discount.

VOTE: Motion CARRIED unanimously.

Based on the conclusion of these agreements and moved by Hampford, seconded by Palmieri to approve the FY 2015-2016 Supplemental Appropriation from WPCA Fund 20-315200 Retained Earnings \$2,775,000 to 20100000-480012 Transfer out (Fund #59).
VOTE: Motion CARRIED unanimously.

There being no further business to discuss the WPCA adjourned by unanimously consent at 8:11 p.m.

Respectfully Submitted,

Margaret Mastroni, Clerk

Margaret Mastroni

From: Frank Smeriglio
Sent: Wednesday, May 25, 2016 4:44 PM
To: slegaultamara@gmail.com
Cc: Colleen Lombardo; Margaret Mastroni
Subject: RE: 48 Skyview Drive - Forgiveness and 24 month Extension @ reduced rate
Attachments: 48 Skyview Drive.pdf

Mr. LeGault,

I am in receipt of your e-mail (below). We will not be able to conference you into the meeting tonight. We can put you on the agenda for the June meeting. However, the WPCA will not be able to reduce your assessment or reduce your sewer usage rates. Attached is the document recorded on the land records pertaining to the "Extension of Time" to not connect. The approval to not connect was allowed for the original owner (only).

I understand you are looking to connect within the next 2 years. Residents that are required to connect, but haven't would pay a "Flat Charge" per quarter (currently \$176.00/quarter). The commission can not reduce this amount.

You are entitled to come and present your disagreement with this, but you will have to be there to speak to the commission. I can't present on your behalf. Since you can't make it tonight, we will put you on the agenda for the June meeting.

Frank Smeriglio, PE
Town Engineer
Town of Trumbull

From: Colleen Lombardo
Sent: Wednesday, May 25, 2016 1:59 PM
To: Frank Smeriglio <fsmeriglio@trumbull-ct.gov>
Subject: FW: 48 Skyview Drive - Forgiveness and 24 month Extension @ reduced rate

From: Stephen LeGault [<mailto:slegaultamara@gmail.com>]
Sent: Wednesday, May 25, 2016 1:40 PM
To: Colleen Lombardo <clombardo@trumbull-ct.gov>
Subject: Re: 48 Skyview Drive - Forgiveness and 24 month Extension @ reduced rate

I just spoke with my wife who is a RN and has been mandated to work a double this afternoon and throughout the evening per contract. I will not be able to be physically be there as I have to receive the children and manage in the evening. There may be to potential options, either a call in conference call or a vote that will be made based upon the documentation in the system and my letter of forbearance. Please let me know your thoughts.

Stephen

Stephen L. LeGault
slegaultamara@gmail.com
(860) 335-6858

On Wed, May 25, 2016 at 12:39 PM, Colleen Lombardo <clombardo@trumbull-ct.gov> wrote:

Received.

From: Stephen LeGault [mailto:slegaultamara@gmail.com]
Sent: Wednesday, May 25, 2016 12:09 PM
To: Colleen Lombardo <clombardo@trumbull-ct.gov>
Subject: 48 Skyview Drive - Forgiveness and 24 month Extension @ reduced rate

Attached. Let's see if it works this time. The file was not large so I cannot imagine why it was kicked back. Please let me know if you receive it this time.

Stephen

Stephen L. LeGault
slegaultamara@gmail.com
(860) 335-6858

WATER POLLUTION CONTROL AUTHORITY

Town of Trumbull

CONNECTICUT

Doc ID: 002655100001 Type: LAN

Book 1602 Page 240
File# 12722

TOWN HALL
(203) 452-5048



*Void
New
owner*

5866 MAIN STREET
TRUMBULL, CT 06611

TRUMBULL W.P.C.A.
NOTICE OF EXTENSION OF TIME TO CONNECT

The Water Pollution Control Authority of the Town of Trumbull, acting herein by Joseph Solemene, Assistant W.P.C.A. Administrator, duly authorized, give NOTICE pursuant to Sec. 10a-32 of the Trumbull Town Code, that an Extension of Time to Connect to the sewer system is granted as follows:

Name(s) of Property Owner(s): **ROBERT F. COTTER TRUSTEE**

Property Address: **48 Skyview Drive**

Assessor's Map No.: **I-07** Parcel No.: **101** Lot No.: **00**

TAKE FURTHER NOTICE, that this Grant is personal to the present owner(s) of the property. An Extension of Time to Connect waiver is available only so long as the property is Owner occupied and shall be immediately extinguished should the present septic system be in need of repair. Conveyance of this Grant is not permitted. New owner(s) are not eligible to renew or apply for an Extension of Time to Connect. New owner(s) will be required to connect this property to the Sanitary Sewer System within ninety (90) days following transfer of ownership.

This extension shall have no affect upon the obligation of the property owner(s) to make all payments when due on the Sewer Assessment, which shall remain in full force and effect, and the property owner(s) will also be required to pay an annual maintenance charge.

Dated at Trumbull, Connecticut the 26th day of June, 2012.

Joseph Solemene
Joseph Solemene
Assistant W.P.C.A Administrator

TOWN CLERK OFFICE, TRUMBULL, CT

JUN 26 2012

RECEIVED FOR RECORD

AT 11:54A M. ATTEST

Gloria Murphy
TOWN CLERK

ASB

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

June 17, 2016

Attention: Maria Pires

File #: 14010-04035

Inv #: 14428

RE: Mark IV - Contract 4 Litigation

DATE	DESCRIPTION	HOURS	LAWYER
Apr-22-16	Correspondence with Attorney Moskow and Attorney Corey; correspondence to client; review settlement proposal; telephone call with Town Engineer	1.20	DJK
Apr-25-16	Correspondence from Attorney Corey; telephone call with client regarding settlement; correspondence from/to Attorney Moskow	0.70	DJK
Apr-26-16	Telephone call with Frank Smeriglio; telephone call with John Morillio regarding settlement; e-mail to Attorney Moskow	1.50	DJK
May-13-16	Conference call with Judge Remetis; telephone call with Attorney Cohane; e-mail to Attorney Moskow	0.80	DJK
May-19-16	Correspondence to Attorney Moskow regarding settlement and notes and approvals	0.10	DJK
	Telephone call with Frank Smeriglio; correspondence to Director of Finance; telephone call with Chairman; drafting settlement agreement	3.50	DJK
May-23-16	Correspondence to Chairman Wright; correspondence to Attorney Moskow; correspondence to John Morillio, First Selectman and Town Engineer	1.50	DJK
	Correspondence to Director of Finance	0.20	DJK
May-24-16	Telephone call with Attorney Moskow	0.10	DJK

	Telephone call with Chairman	0.20	DJK
	Correspondence from/to Director of Finance	0.20	DJK
May-25-16	Telephone call with client regarding special meeting for approval	0.20	DJK
	Drafting settlement agreement regarding Contract 4	2.50	DJK
	Drafting settlement agreement regarding Contract 3	1.50	DJK
May-26-16	Review General and Special Conditions regarding sewer reports; telephone call with Fred Moiscia	1.20	DJK
	Drafting settlement, release agreement regarding Mark IV Contract 3 and 4 litigation; correspondence to Attorney Moskow	2.50	DJK
May-31-16	Revise settlement agreement; correspondence to Mark IV attorney regarding draft and settlement documents; correspondence to T & B regarding revised general and special conditions	1.20	DJK
Jun-01-16	Drafting release regarding contract 3 litigation; correspondence to Attorney Cohane	1.80	DJK
	Meeting with clients	2.00	DJK
	Correspondence to Attorney Moskow	1.20	DJK
Jun-02-16	Telephone call with Fred M. and Frank Smergilio	0.40	DJK
	Review and revise general condition and specs regarding Mark IV settlement; telephone call with Fred M.; telephone call with chairman Massaro and Maria Pires; correspondence from and to Attorney Moskow; telephone call with Town Engineer	4.50	DJK
Jun-03-16	Conference call with Fred M., John Marsillio regarding General Conditions and specks; revise settlement agreement, general conditions and Technical specs	8.00	DJK
Jun-06-16	Attendance of L&A regarding Mark IV settlement	1.00	DJK
Jun-07-16	Revise settlement for contract 3 and contract 4; draft release to Town regarding Contract 3; revise general and special conditions; telephone call with Town Engineer, public works director regarding providing process; trafficmen/bond issue	5.50	DJK

	Memo to file regarding Bond, police, process and settlement	0.20	DJK
	Copy all documents for commission regarding WPCA approvals; set up for recording	0.80	DJK
	Attendance of WPCA meeting regarding mark IV, settlement approvals	1.50	DJK
Jun-09-16	Correspondence from/to Attorney Cohane; revise settlement agreement; correspondence to First Selectman; prepare all documents for BOF & TC approval	2.50	DJK
	Attendance of Joint TC & BOF meeting regarding final approvals and authorization	2.50	DJK
Jun-10-16	Correspondence to Attorney Cohane regarding Final Approvals	0.10	DJK
Jun-13-16	Copy, finalize all documents regarding execution by First Selectman; correspondence to First Selectman and Chairman regarding meeting regarding signing documents	1.50	DJK
Jun-14-16	Meeting with Town Officials regarding Contract Settlement and execution; correspondence to Attorney Cohane	1.20	DJK
	Totals	53.80	\$10,760.00
	Total Fee & Disbursements		\$10,760.00
	Previous Balance		140.00
	Previous Payments		140.00
	Balance Now Due		\$10,760.00

**TIMEKEEPER
SUMMARY**

DJK	53.80	\$10,760.00
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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

June 17, 2016

Attention: Maria Pires

File #: 14010-04015

Inv #: 14429

RE: BRIDGEPORT REGIONALIZATION SEWER AGREEMENT

DATE	DESCRIPTION	HOURS	LAWYER
Apr-19-16	Draft and file motions for continuances	0.60	DLC
May-16-16	Review Bridgeport Regionlization option per JM request.	1.20	DJK
	Correspondence to First Selectman/John Marsilio	0.30	DJK
May-24-16	Review Bridgeport City Council minutes; correspondence to Chairman regarding update on approvals	0.70	DJK
Jun-07-16	Correspondence from Attorney Santoro; telephone call with Town Engineer regarding balance; review payment schedule; correspondence to Attorney Santoro	1.20	DJK
Jun-13-16	Copy, finalize all documents regarding execution by First Selectman; correspondence to First Selectman and Chairman regarding meeting regarding signing documents	1.20	DJK
Jun-14-16	Attendance of Final Status Conference	2.00	DJK
	Meeting with Town Officials regarding Contract Execution; correspondence to Attorney Santoro	1.20	DJK
	Totals	<hr/> 8.40	\$1,680.00
	Total Fee & Disbursements		<hr/> \$1,680.00
	Previous Balance		5,532.50
	Previous Payments		5,532.50

Balance Now Due

\$1,680.00

**TIMEKEEPER
SUMMARY**

DJK	7.80	\$1,560.00
DLC	0.60	\$120.00