

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, January 25, 2012

Members Present:

Jeanine Maietta Lynch, Chairman
Laura Pulie
Ennio DeVita
Karen Egri
Timothy Hampford (arrived 9:00)

Also Present:

Joseph S Solemene, Assistant WPCA Administrator (arrived 8:00)
John Marsilio, Public Works Director (left 10:45)
Dennis Kokenos, Esq., Town Attorney
Mary Moran, Tax Collector
Donna Pellitteri, Delinquent Tax & Deferral Administrator
Caterina Rauso, Tax/WPCA Collection Clerk
Daniel Nelson, Chief of Staff (attended budget discussion)
Fred Mascia, Tighe & Bond, Project Manager
Christine E. Kurtz, Wright-Pierce

The Chairman called to order the regularly scheduled meeting of the Trumbull WPCA for January 25, 2012 in the Long Hill Room at 7:30 p.m.

The Chairman took the Agenda out of order starting with Old Business.

MOTION made (Lynch) 2nd (Pulie) to move up Agenda item number 6 Old Business, Attorney Earl Ormond. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

6. Old Business:

261 Unity Road – Attorney Earl Ormond. Attorney Kokenos gave a brief history to refresh the Commission's memory. He said it was on the agenda a few times with regards to a water pipe that was put in the rear of the homeowner's property due to some flooding concerns in the basement that they said and their insurance company said was caused by putting the sewer pipe in. We never instructed Mark IV to put the water pipe where it was and the Commission decided that this was something that was done between the homeowner and Mark IV. Attorney Kokenos also said Attorney Ormond contacted him a few times on this and recently told him that he talked to his client about potentially bringing litigation and he requested to come before the Commission.

Attorney Ormond had an emergency so co-counsel Attorney Frank Denicola of Gordan and Denicola was present and he reviewed the drawing he submitted into the record. He explained Mark IV put in the sewer pipe and almost immediately after that pipe was put in his clients experienced flooding in their basement. He said he has affidavits from his clients saying that there had never been flooding prior to this. He also has an affidavit from Mark IV's adjuster who made a determination that this pipe was the cause of the flooding and he made payments for damage to personal property in the basement. He said in an attempt to cure the problem Mark IV put in a second pipe in across the entire back length of the property which empties onto a neighbor's wetlands. Some of the concerns his clients have include the pipe reduces the value of the property if they want to put in a

swimming pool in the backyard or put an addition on the house, maybe resale and liability issues. For those reasons they think they are entitled to additional compensation for the second pipe. He believes the Town knew about the pipe at the time it was put in and Mark IV is the Town's agent in this regard. The Commission wants to know who decided on the location of the pipe and wants copies of the documents Attorney Denicola referenced. Additional information and research is needed and Fred Mascia was asked to follow up. The Commission wants to know on what information was the insurance company's decision to pay based on? Attorney Kokenos suggested this matter be tabled and discussed in executive session at the next meeting.

MOTION made (Lynch) 2nd (Egri) to move up Agenda item number 6 Old Business, Matthew Mihaly, 116 Jerusalem Hill. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

6. Old Business:

Matthew Mihaly, 116 Jerusalem Hill Road. Attorney Steve Reilly, Matthew Mihaly, Hem Khona, P.E. and Attorney Serge Mihaly were present. Attorney Reilly said he is aware of the decisions the Commission made at the January 5, 2012 meeting and they want to address the decision and complete their demonstration.

In reference to self-cleansing flow in proposal II he passed out copies of self-cleansing flow calculations made by Hem Khona. He also passed out *Guides for the Design of Wastewater Treatment Works* prepared by the New England Interstate Water Pollution Control Commission, *Wastewater Engineering: Collection and Pumping of Wastewater* from Metcalf & Eddy, Inc., and *Minimum Sanitary Sewer Slopes* by Thomas Gail Haws, P.E. with attached calculation sheet. He said .4 is the New England State standard, the 10 State standard and the Greater New Haven standard. He talked about the standards, self-cleansing flow calculations, slopes, velocity and their calculations compared to self-cleansing flow standards contained in the documents they presented.

The Chairman noted that the decision was not just based upon the flow and a lot more went into the calculation and the discussion regarding whether or not it was going to be approved or not approved. Attorney Reilly further addressed the issues of the standard, flows, pipe fill amounts and the standard being the same for whatever the flow is.

The second issue he addressed was the floor elevations and he said Mr. Khona went back out, they hired a surveyor and they calculated the elevations on Proposal II. He submitted their plan showing elevations and went over new proposals using 10 inch and 12 inch pipes and the estimated costs of their 4 proposals. He also described other ways for getting lower elevations using wider pipes and a lower scope.

Attorney Reilly next addressed the issue of not enough space for a pumping station. He said Mr. Khona went back to check the area that is shown on map number 3 and found there is a 10 by 10 area that could be used and he went over what would be needed to use that area. He questioned the Commission's cost estimate of \$150,000 to \$200,000 for the pump station.

The project's public hearing was the next issue Attorney Reilly addressed. He commented on the public hearing notice, maps, sewer documents and correspondence from the Town and Spath-Bjorklund Associates' letter dated November 9, 2011. He talked about some of the documents and information he obtained from the Sewer Department. Joe Solemene said there is only one public hearing and it was for the entire project and Jerusalem Hill was incorporated in that. Attorney Reilly also said residents did not have an opportunity for discussion or input and they were not informed there was another option.

A lengthy discussion ensued on the Whitman & Howard study, maps, map dates, revisions, studies and design, correspondence from Spath-Bjorklund, pump systems on original design and the public hearing. Chairman Lynch said to table this issue and she wants further research in terms of the map. She also stated the Commission has a fiduciary duty to the rest of the residents of the Town within this project to keep the cost at its minimum based upon the original plans and the bid that went out for it. Attorney Reilly said that proposal

number 2 is no extra cost. Attorney Kokenos asked if the prices were from our contractor and the response was no. He stated the work would have to be done by our contractor and the cost of the pump station would have to come from the contractor. He noted it would be a change order and the bid prices are not automatic because it is a design change and the contractor is going to said it is a change order and will give us a different price for it. He gave a brief explanation of what the Commission would have to deal when making this decision.

Commissioner DeVita said he previously requested the elevation of the indoor pipe going outside the house because he believes the elevations shown will not work. He explained he has a problem with the proposal regarding the elevation of the pipe going outside because the proposal shows only six inches and usually it is three or four feet below and it's never six inches below the floor. He further explained that most of the pipe will be outside into the beams and he said they did not include the two by six that is needed on the bottom and top of the footing and when a shingle is put outside you need at least a foot for cover. He said at six inches the top of the pipe is going to be inside the beam and that's why at the last meeting he asked for the elevation of the pipe going outside. Commissioner DeVita also commented on the standard and the 4 percent slope. Additional discussion took place regarding the project's slope set by the WPCA, standards, flow rates, 4 percent slope, flow and lack of flow in pipes and possible problems relating to solids. The Chairman requested this matter be added to the Agenda of the next meeting because certain factors in the Commission's decision have changed or could change depending on new information relating to the public hearing and she wants more information about that.

MOTION made (Lynch) 2nd (Egri) to move up Agenda item number 6 Old Business, Laurie Coscia Quatrella, 50 Red Fox Lane. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

6. Old Business:

Laurie Coscia Quatrella, 50 Red Fox Lane. Attorney David Quatrella of 50 Red Fox Lane was present representing his wife, Laurie Coscia Quatrella regarding concerns they have regarding the pond. Chairman Lynch informed him the Commission discussed this matter, had someone from the sewer administration go out to take a look, looked at some of the old maps and did some investigation. He said trees have been cut down in the easement, but they have not been removed and work has not started. He is worried about additional dirt and silt and Chairman Lynch told him Fred and his crew will do everything they can to control the dirt and silt. He referenced his Agreement with the Town and the section regarding keeping the dirt and silt out of pond. Joe Solemene said the aerial photo taken before the sewer construction began was reviewed and it appears there are shadows that look like there is sediment in place before the sewer construction. Joe and Fred explained if you have a water main break and there is a lot of inflow into a pond it looks as though the entire pond is covered and until the material settles out it will look like the entire pond is mud. Attorney Quatrella said they lived there since 2002 and they never had the dirt above the water line and there was never a sandbar with vegetation growing on it. Fred Mascia said the sandbar accumulated over a number of years and it did not accumulate just because of the sewer project. Attorney Quatrella said if it was there it was below the water and now it is significantly above and this happened in four months. Fred Mascia also said the amount of the material they are claiming came in from the sewer project is more than what was excavated and back filled and a lot of the work on Red Fox was blasting and they brought in clean material. He also said he has photos that show the pipe and catch basin with moss growing on it and moss takes longer than a few months to grow. Fred said the watershed that contributes to the pond is close to 100 acres and the silt runs downstream so the pond has been accumulating silt from the watershed. Attorney Quatrella described the pond area prior to the sewer construction, during the construction and now. He is also concerned with the cross country work and he wanted his concerns noted on the record. Chairman Lynch assured him we will comply with the easement agreement and our agent is aware of this. She also noted for the record we had three people go out and they all came to the same opinion that they didn't think it was from the sewer issue. He also said the contractor has a storm water permit in place and his own engineering inspectors watching.

Attorney Quatrella wanted to know what the answer is regarding the sandbar and what happens if more dirt and silt gets into the pond. Chairman Lynch said based on the evidence the Commission reviewed they don't think

this is a Town issue and nothing is going to be done by the Town at this point. Attorney Quatrella questioned what will happen if another sand bar develops and Fred Mascia asked if he monitors the water level of the pond. He said there is a fluctuation of four to five feet and a heavy storm raises it. Fred said if a heavy storm raises the pond level four feet and it is a 100 acre watershed it is not just water from Red Fox. He noted we just had a record rainfall year in Connecticut and that is also a contributing factor. Attorney Quatrella suggested someone go to google earth and look at pond with no sandbar. Fred said the Town aerial he referred to was done on April 10, 2010 before the sewer work.

MOTION made (Lynch) 2nd (Pulie) to move up Agenda item number 6 Old Business, Update sewer usage collections. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

6. Old Business:

Update: Sewer usage collection. Donna Pellitteri , the delinquent tax and deferral administrator from the tax office reported on the collection progress. Since October they collected \$400,000.00 for usage and assessments as a direct result of the extra hours specifically directed to sewer collection. She said they focused on delinquencies of \$1,000.00 and up and she summarized the collection progress. The Commission allocated \$4,000.00 which resulted in the collecting \$400,000.00. The Tax Collector is requesting additional funds be allocated to continue these collection efforts. Discussion included balance of allocated funds, next year's budget, and having the tax office continue collections. Attorney Kokenos pointed out prior to the Tax Collector Office's collection efforts delinquent accounts went to the lawyers for foreclosure actions and since the initiation of this collection program he has not received one file. This new system is saving rate payers because they are not paying additional costs.

MOTION made (Lynch) 2nd (DeVita) to allocate an additional \$4,000.00 in the budget for the Tax Collector's office to continue their sewer use collection efforts and then to report back to us in another 90 days. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

MOTION made (Lynch) 2nd (Egri) to move up Agenda item number 6 Old Business, Update: SSEC. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

6. Old Business:

Update: SSEC. Christine Kurtz from Wright-Pierce was present and had nothing to report or update. She was prepared to discuss Regionalization/Re-Negotiation of Bridgeport Sewer Treatment Contract which is noticed under the Executive Session of the Agenda.

MOTION made (Lynch) 2nd (Pulie) to move up Agenda item number 8 Executive Session. No Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

8. Executive Session:

MOTION made (Lynch) 2nd (Pulie) to close the regularly scheduled meeting of the WPCA for January 25, 2012 at 8:48 p.m. and move into executive session to 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 Litigation – Contract 3 and Contract 4
- Regionalization/Re-Negotiation of Bridgeport Sewer Treatment Contract

Remaining in the executive session meeting with respect to both items will be all the Commission members, Joe Solemene, Attorney Dennis Kokenos, John Marsilio, Fred Mascia and then Christine Kurtz with respect to Regionalization/Re-Negotiation of Bridgeport Sewer Treatment Contract. No Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

MOTION made (Lynch) 2nd (Egri) to come out of the executive session at 10:40 p.m. and to confirm that no vote was taken and to reopen the regularly scheduled WPCA meeting. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

It was noted for the record that Commissioner Hampford came into the Executive Session at 9:00 and has now joined the meeting.

3. Invoice Approval:

Application #28 and Application #29.

MOTION made (Lynch) 2nd (Pulie) to address Agenda item 3 Invoice Approval Application 28 and Application 29 to move up on the Agenda. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY. Chairman Lynch noted for the record that based upon our discussions with the Town Attorney and the Town engineers Tighe & Bond there continues to be significant defects on the projects and defaults which the contractor has been given notice of and those defaults and defects continue. We've also addressed and instructed our attorneys on how Mark IV is to cure these defects and until such time that the defects are cured and this Commission as well as our Attorneys and Engineers approve to their satisfaction that those defects have been cured we are going to table Invoice number 28 and Invoice number 29.

MOTION made (Lynch) 2nd (Hampford) to table Invoice number 28 and Invoice number 29. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

1. Minutes to previous meetings:

December 14, 2011. The following corrections and/or additions were requested:

Page 1 - 6. Old Business. Commissioner Pulie explained wherever they talked about ".4" slope it refers to a ".4 percent" and she wanted this clarification noted on the record.

Page 3 – 6. Old Business. Commissioner Hampford noted on Page 3 tenth line from the bottom of the page the name "Mike Diggey" should be "Mike Giggey".

MOTION made (Lynch) 2nd (Pulie) to approve the December 14, 2011 Minutes of the regular meeting with the changes Tim Hampford brought up. No Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

January 5, 2012. No comments or corrections.

MOTION made (Hampford) 2nd (Lynch) to accept the special meeting Minutes of January 5, 2012 as written. No Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

MOTION made (Lynch) 2nd (Kallmeyer) to move up Agenda item number 5 Wright-Pierce up-date. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

2. Tighe & Bond.

Progress report. Fred Mascia said since the last meeting the contractor installed approximately 1,000 feet of sewer pipe. They completed a stream crossing on upper Booth Hill Road near Strobel, completed the cross country between Route 108 and Kingsbury, and has just about completed the cross country between Golden Hill and Kingsbury. This past week the contractor started the gravity line in the Merritt Boulevard pump station heading towards Huntington Road. It is about 93% complete with all pipe installation at this point.

Change Orders. Fred Mascia from Tighe & Bond summarized each of the following change orders.

Change Order R82 dated 7/29/2011 in the amount of \$1,960.00 to furnish and install inside drop manhole for 100 St. Johns Drive (tabled 9/28/11). The Commission previously had questions on the price of the vertical drop and the contractor did provide a price and the Commission did approve that price and the drop has been installed.

MOTION made (Lynch) 2nd (Egri) to approve change order R82 in the amount of \$1,960.00 to furnish and install inside drop manhole for 100 St. John's Drive. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order R102 dated 12/6/2011 in the amount of \$2,025.00 to furnish and install 5 furnco couplings on storm drain pipe in Kingsbury Drive (tabled 12/6/11). The Commission asked Fred to go back to the contractor and try to renegotiate the price. The contractor would not change his price.

MOTION made (Lynch) 2nd (Egri) to deny change order R102 in the amount of \$2,025.00 to furnish and install 5 furnco couplings on storm drain pipe in Kingsbury Drive. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order R103 dated 12/23/2011 in the amount of \$2,400.00 for shim course on Booth Hill Road. Fred Mascia said there were problems with Booth Hill Road and the Public Works Department requested that the main trench get re-shimmed before the winter because it settled. Basically they were told to re-shim the center layer trench from Strobel Road all the way down to Beverly Road. There is a section that Mark IV claimed did not meet the requirement because it was released. The Commission agreed the contractor is required to maintain the road and denied the change order.

MOTION made (Pulic) 2nd (Hampford) to deny change order R103 in the amount of \$2,400.00 for shim course on Booth Hill Road. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change order R104 dated 01/03/2012 in the amount of \$2,619.93 for line striping on Booth Hill Road. At last month's meeting Fred explained Public Works requested that Booth Hill Road get temporary line striped and the Commission approved Fred to have the work done. This is the charge for the work.

MOTION made (Lynch) 2nd (Hampford) to approve change order R104 in the amount of \$2,619.93 for line striping on Booth Hill Road. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change order R105 dated 01/04/2012 in the amount of \$1,442.10 for bracing of UI pole not shown on plans for installation of manhole KBCC-2. Fred said this is in the cross country area and the design plan did not show the manhole on the plans and the UI had to come out and brace the pole. He also said the manhole could not be installed without it.

MOTION made (Lynch) 2nd (Egri) to approve change order R105 in the amount of \$1,442.10 for bracing of UI pole not shown on plans for installation of manhole KBCC-2. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change order R106 dated 01/04/2012 in the amount of \$1,572.98 for extra stone for stream crossing on Booth Hill Road. Fred said there was not enough existing rip rap in the stream to restore it afterwards and they directed the contractor to bring in more stone to stabilize the stream.

MOTION made (Lynch) 2nd (Hampford) to approve change order R106 in the amount of \$1,572.98 for extra stone for stream crossing on Booth Hill Road. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

4. Billing statement – Tighe & Bond and Wright-Pierce.

Review Tighe & Bond/Wright Pierce spreadsheets. The Commissioners will come back to this item.

MOTION made (Lynch) 2nd (Egri) to move up Agenda item number 5 Wright-Pierce update. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

6. Old Business:

Update: SSEC. Christine Kurtz said it is their goal to get the draft reports for Phases 1 and 2 to the Commission by the end of February and as part of that goal to present at the next meeting a more detailed overview of the findings. In response to inquiries at the last meeting Christine said the force main is not adequately sized not only for the current flow, but certainly not in the future either. This was determined as part of Phase 1 and the pump station evaluations for Beardsley and Reservoir. So, as part of the upgrade for Beardsley pump station they will have to recommend installation of a parallel force main down to Bridgeport. On the SSEC side they

received the TV tapes and have reviewed 25% of them. With regard to smoke testing, house to house and manhole inspections they estimate about a half million gallons a day of excess water during high ground water. She explained if all the extra water is taken it still will not eliminate the need to upgrade the pump stations. As to Phase 3 Joe Solemene said in the last budget \$262,000.00 was set aside, we received matching funds of 55% from the State and we have a purchase order in place for \$628,000.00. Christine explained all 4 Phases of the study were approved, but to date Wright-Pierce was only authorized to work on Phases 1 and 2 and since the funds are in place they are asking for authorization to move on that. Joe said the purchase order that is in place funds the three Phases. Discussion included funding in next year's budget for Phase 4 and starting Phase 3 now. MOTION made (Hampford) 2nd (Egri) to release the funds tied with Phase 3 in the amount of \$310,000.00 that have already been approved and funded. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

4. Billing statement – Tighe & Bond and Wright-Pierce.

Review Tighe & Bond/Wright Pierce spreadsheets. The Commissioners reviewed the spreadsheets and discussed balances and noted the new purchase order for Wright-Pierce is not included.

6. Old Business:

Up-date: Audit of the 59 and 20 accounts. Commissioner Egri summarized the meeting with the auditors and their requests. She also said we need to consult with our Attorney because there is a lot of information that is not available and it may require relooking at the scope of the audit.

2012-2013 budget.

Chairman Lynch referenced the work that was done on the budget at the WPCA's special meeting on January 5, 2012 and at that time several items were left open and need to be completed. Daniel Nelson joined the meeting for the budget discussion.

501101 – Salaries-FT/Permanent	\$ 255,838.00
501102 – Salaries-PT/Permanent	\$ removed
501103 – Salaries-Seasonal/Temp	\$ -0-
501105 – Salaries-Overtime	\$ 20,000.00
501106 – Salaries-Longevity	\$ 1,050.00
501888 – Uniform Allowance	\$ 1,490.00
511159 – Fringe Benefits-Clerical fees	\$ -0-
522201 – Services & Fees Clerical	\$ 2,500.00
522202 – Services & Fees Professional	\$ 505,500.00
• \$157,500.00 – attorneys	
• \$220,000.00 – engineers/expert testimony	
• \$ 30,000.00 – arbitration fees	
• \$100,000.00 – other legal	
• \$ 5,000.00 – clerk to collect on usage/assessments	
522204 – Services & Fees Contractual	\$4,963,736.00
• \$4,517,525.00 - Bridgeport WPCA sewage treatment & true-up	
• \$ 180,701.00 – 4% increase	
• \$ 70,560.00 - Computil	
• \$ 94,950.00 – INA study Phase IV (\$211,000@45%, State covers 55%)	
• \$ 100,000.00 – preliminary engineering for repair and upgrades to Beardsley pump station and force main	

Water Pollution Control Authority
January 25, 2012

522205 – Program Expenses	\$ -0-
522210 – Reimbursable Services to GF	\$ 405,590.00
534402 – Program Supplies	\$ 20,000.00
545501 – Communications – Legal Notices	5,000.00
567701 – Transportation-Gas, Oil, Grease	\$ 6,500.00
• Changed from \$4,000.00	
567702 – Transportation – Vehicle Repairs	\$ 8,000.00
578801 – Mntnce/Repair Service Contract	\$ 60,000.00
578802 – Mntnce/Rep – Equipment/Building	-0-
578803 – Mntnce/Rep – Program Related	\$ 30,000.00
578805 – Extraordinary Items	\$ 60,000.00
581888 – Capital Outlay	\$ 20,000.00
• Reservoir Avenue pump	
589901 – Rentals-Annual Rentals/Lease - proposed purchases of	\$ 38,500.00
• Jeep \$ 6,000.00 (lease \$30,000 over 5 years)	
• Jet rodder \$32,500.00 (½ of lease \$162,500 WPCA over 5 years)	
590011 – Utilities-Heat	\$ 13,459.00
590012 – Utilities – Electricity	\$ 178,789.00
590013 – Utilities – Water	\$ 1,817.00
590014 – Utilities – Telephone	\$ 12,357.00
590017 – Sewer Fees	-0-
593888 – Depreciation Expense	-0-
595888 – Interest on G/Oblig Bonds	-0-
597888 – Principal – G/Oblig Bonds	\$ -0-
TOTAL	<u>\$6,510.126.00</u>

Discussion:

522202 – Services and Fees Professional

Chairman Lynch reviewed the spreadsheet and gave a breakdown of anticipated services and fees that were determined after discussion and input from our attorneys, our consultants Wright-Pierce and Tighe & Bond, with respect to budgeted fees for next year.

Projected services and fees for the next budget include:

- Contract 4 potential mediation and/or litigation and resolution to finish and finalizing that contract and getting that complete; Contract 3 litigation; minor sewer assessment appeals; contract negotiations with Bridgeport as our contract expires in June, 2012;
- The need to investigate all other options with respect to potentially regionalizing or not regionalizing so that’s going to have an increase with respect to consultants.

A summary of Chairman Lynch’s explanation relating to increase for this account follows:

- There is a Tri-Board Commission, but obviously the bulk of the expenses that need to be outlaid in order for this to move forward comes upon the WPCA and is not allocated among the other boards. She also explained there will be very large expenses that will affect multi-million dollar contracts and will ultimately affect the rate payers. So, it is important and imperative that we have experts and consultants who can guide the Commission and this is a monumental task moving forward that will affect the Town for 50 to 100 years to come. She also said we need to be educated, we need good advice, we need good information, we need due diligence and they don’t come free.

\$5,000.00 for the Tax Collector's Office to continue collection efforts is also included in this account.

522204 – Services & Fees Contractual

\$94,950.00 – INA study Phase IV (\$211,000@45%, State covers 55%) – It was noted designs for Beardsley and Reservoir pump stations or repair work are not included in this budget. Commissioner Hampford noted we will be on a time table. Chairman Lynch raised questioned what is more critical continuing Phase 4 or allocating money to do design and repair? Commissioner Hampford said in the budget this year is the Phase 4 evaluation and there is no budgeting for any engineering or construction work. Suggestions from Christine Kurtz and discussion included work that should be done, look at the leaks in the pipe and get that work done, determine what is cost effective, prioritize which ones to fix, the operation of Beardsley and Reservoir stations, overflow, need to start designing to plan for the construction and the fix. Commission Hampford suggested setting aside money for the fix. He also said the pump station is the reason we got into this and it still overflows and back up and there is a need to start a capital fund because this is going to be a couple million dollars over the next several years. A fund needs to be started. The Beardsley pump station is the most critical and the design fee will be roughly \$475,000.00 because the construction will be \$5,000,000.00. Further discussion included what is needed for the pump station, parallel design of the pump station and force main, overflows, flow velocities, projects and work that needs to be done whether or not regionalization happens. The issue of spending and funding for engineering and design without answers to regionalization was addressed. Commissioner Hampford said the need for the pipe will not change. It was also noted more flow will be added when the current project is released and goes on line. Chairman Lynch suggested to allocate what the Commission was going to do for Phase 4 to put it into the account. It was suggested to leave the \$94,000.00 as INA study or emergency design for the Beardsley pump station and/or force main. Commissioner Hampford said for the record that it is likely we're going to have to come back for a second appropriation for that. The Commission agreed to keep the \$94,000.00 and add \$100,000.00 for preliminary engineering for repair and upgrades to Beardsley pump station and force main to account 522204.

MOTION made (Lynch) 2nd (Hampford) to approve the budget for 2012/2013 in a total amount as presented and amended today in the total amount of \$6,610,126.00. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

7. New Business.

Election of new vice chairman.

MOTION made (Lynch) 2nd (Hampford) to appoint Commissioner Karen Egri as the new Vice Chairman. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Mark IV – Subcontractor request. Attorney Kokenos requested and received a subcontractor list from Mark IV. The Commission reviewed the list. It was suggested to have Attorney Kokenos follow up periodically and expand the request to include subcontractors that subcontractors hire.

6. Old Business.

Update irrigation systems and Aquarion. Commissioners Lynch, Pulie and DeVito met with representatives from Aquarion and they came up with a plan for a separate meter for irrigation systems. A public informational meeting will be scheduled in February and a representative from Aquarion will attend. The Chairman also suggested a public hearing be scheduled for next meeting.

MOTION made (Lynch) 2nd (Pulie) to adjourn the regularly scheduled meeting for January 25, 2012 at 11:39 p.m. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Submitted by,
Joyce Augustinsky Clerk of the Commission