

WATER POLLUTION CONTROL AUTHORITY

Town of Trumbull

CONNECTICUT

TOWN HALL
(203) 452-5048



5866 MAIN STREET
TRUMBULL, CT 06611

Minutes

Water Pollution Control Authority February 24, 2010

In attendance:

Ennio De Vita
Jack Goncalves
Paul Kallmeyer, Vice Chairman
Jeanine Maietta Lynch, Chairman
Laura Pulie
Karen Egri, Alternate
Tim Hampford, Alternate (7:35 p.m.)

Also In Attendance:

Joseph Solemene, W.P.C.A. Coordinator
Clair Garard, Public Works Inspector

Chairman Lynch called the meeting to order at 7:31 p.m.

MINUTES TO PREVIOUS MEETING:

- **Motion (KALLMEYER) seconded (LYNCH) to amend the minutes of January 27, 2010 as follows: Page 4, Unit Charge: second sentence, remove the word “never;” replace “it goes back to the Town” with “but not accounted for by the Town.” The sentence will now read, “That charge has been collected by the WPCA but not accounted for by the Town.” No discussion. Motion carried unanimously.**

There being no other corrections or changes;

- **Motion (LYNCH) seconded (KALLMEYER) to approve the minutes of the January 27, 2010 meeting as amended. No discussion. Motion carried unanimously.**

PROGRESS REPORT:

The following report given by Clair Garard, Public Works Inspector:

Three main line crews continue to work on the Contract. Richie’s crew completed Tory Lane from Golden Hill then went east on Lobsterback Road then relocated to the corner of Tory and is working west on Lobsterback. Mario’s crew completed Partridge Lane and Saybrook Road and is now into the easement connecting Unity Road to Partridge Lane. Able’s Crew completed 90% of the easement from Briarwoods Terrace to Shelton Road. The crew moved to the parking lot of Evangelical Free Church, completed easement through church property just short of White Plains Road. Moved onto Columbine Drive and is currently working from Columbine to the intersection of Tamarack Circle. One lateral crew working on Partridge Lane. Drilling crews: two rigs; one working on Lobsterback pre-drilling laterals and the other on Columbine.

Mr. Garard reported Jose LaTorre of 53 Columbine Drive is requesting we drop the line three feet, change the grade and make it a dropped manhole to accommodate his house for gravity feed instead of a grinder pump. This change would also eliminate a second grinder pump on that street. Mr. Solemene supplied a copy of the letter of request from the resident. The homeowner has indicated to Mr. Garard that he would pay the extra cost. Commissioner DeVita stated this is a better design but wants to be sure the rest of the residents don’t pay for the change. After further discussion,

- **Motion (KALLMEYER) seconded (PULIE) to drop the line on Columbine Drive and accommodate the two residents. In the event the cost exceeds the difference when complete, we will try to recoup the money from the resident. Discussion followed. Motion amended to include a letter of commitment from the property owner. Motion carried unanimously.**

The Commission discussed drainage items 57 through 63 on the invoice with unit price of one penny. Can the contractor be required to install these items? Why are we billed for drainage at a different price? What is the genesis of the estimated quantities? Is it new storm drainage throughout the project or is it the result of conflicts? At the pre-bid meeting the bidders were advised about the age of the storm drainage in the area and to be prepared to put all this drainage in. Mr. Solemene stated the project was designed by Spath Bjorklund and they came up with the quantities. When and where can this drainage be put in so the Town can take advantage of the in balance bid items? Mr. Garard replied that once the weather clears up they will start marking the drainage. The Town Engineer and the Deputy Director of Public Works will be involved. Mr. DeVita requested a copy of the plans.

Commissioner Goncalves asked if Stratford residents on Huntington Road are permitted to connect to the sewer and can we assess them? Mr. Solemene replied yes to both questions. Are we doing the same thing for residents on Lobsterback Road across the town line? No we are not.

INVOICE APPROVAL:

Mark IV Construction Co., Inc., Phase IV, Part B – Contract 4 – North Nichols Project, Application #6 in the amount of \$649,291.29. Quantities verified by Clair Garard, Public Works Inspector, and cost verified by Mark Turndahl, Accounting Manager. The Commission again stated they want someone to approve that the pricing on the invoice is correct and fair. Mr. Kallmeyer stated that Mr. Garard inspects in the field and he is overseen by the Town Engineer and the Deputy Director of Public Works.

- **Motion (GONCALVES) seconded (KALLMEYER) to approve Phase IV, Part B, Contract No. 4 – North Nichols Project, Application #6 in the amount of \$649,291.29. Discussion followed. Motion carried unanimously.**

NEW BUSINESS:

Jewish Home for the Elderly

First Selectman Timothy M. Herbst addressed the Commission regarding a tentative proposal to be brought before the Authority for consideration. The original proposal called for the Jewish Home for the Elderly to be located in Monroe. The issue was that Monroe does not have sewers. A location was considered in Trumbull on Hardy Lane. That was met with substantial opposition from residents. The developer has now gone back to the Monroe site and the developer proposes putting substantial storage tanks on their property that would release and discharge the waste in the evening through Trumbull to Bridgeport, and in turn they would commit one-third of the estimated tax revenue from the JHE to the Town of Trumbull, estimated to be \$500,000 annually. Mr. Herbst asked that this item be put on the agenda for a formal presentation. The Commission agreed to meet with the developer at a special work session, date and time to be determined. Mr. Herbst also asked the Commission to put any questions in writing and he will give them to the applicant prior to the meeting.

- **Motion (GONCALVES) seconded (LYNCH) to go out of order of the agenda to New Business, Wright-Pierce – Clean Water Fund Application and Inflow and Infiltration Study Agreement. No discussion. Motion carried unanimously.**

Wright-Pierce – Clean Water Fund Application and Inflow and Infiltration Study Agreement

John Braccio P.E., Vice President and Christine Kurtz P.E., Project Engineer, representing Wright-Pierce with a status update of wastewater facility study. The facilities plan work could qualify for 55% grant funding from the State. In order to qualify for the grant we would have to resubmit our contract in a format that meets their criteria along with an application. If the Commission agrees, an application has been developed along with a revised agreement. Various paperwork needs to be certified by the Town of Trumbull, officially the Town Council. Any work done before DEP approval does not qualify for the funding.

Wright-Pierce submitted a proposal for an inflow and infiltration study. There is also 55% grant funding available for this study. Both studies can be put together into one package for DEP funding consideration. A resolution giving the First Selectman approval to enter into an agreement with DEP is on the agenda for the April Town Council meeting. If the Commission is favorable to proceeding with the I/I proposal, flow meters would need to be reserved in anticipation of approval in April and ready to start as soon as the DEP gives us the green light. After discussion of the proposal,

- **Motion (KALLMEYER) seconded (PULIE) to authorize Wright-Pierce to maximize grant funding from the Clean Water Fund for both Inflow and Infiltration and Wastewater Treatment Facility plant studies. No discussion. Motion carried unanimously.**
- **Motion (GONCALVES) seconded (LYNCH) to go out of order of the agenda to New Business, Emilio Ferri – 8 Pine Street, permission to extend a lateral from an existing lateral to a newly subdivided lot. No discussion. Motion carried unanimously.**

Emilio Ferri – 8 Pine Street

Mr. Ferri presented a plan to connect a new dwelling on a subdivided lot next to 8 Pine Street. He is proposing to connect the new dwelling to an existing lateral at 8 Pine Street. This plan will require an easement on 8 Pine Street.

- **Motion (KALLMEYER) seconded (DEVITA) to accept a plan for a manhole on the lateral at 8 Pine Street to connect Lot 267 Prospect Avenue. No discussion. Motion carried unanimously.**

Public Hearing to be held at March meeting.

- **Motion (PULIE) seconded (DEVITA) to add to the agenda Scott Taylor, low bid contractor for the grinder pump installation for Phase IV, Part B, Contract 4 – North Nichols Project. No discussion. Motion carried unanimously.**

Scott Taylor

Mr. Taylor is the low bid contractor to install grinder pumps for Phase IV, Part B, Contract 4 – North Nichols Project. He addressed the Commission regarding the materials bond. A lot of the sewer mains haven't been installed yet and it will be several months before they become active. Mr. Taylor is requesting the Commission waive the materials bond and retain 10% on every billable job that he completes. Mr. Solemene stated this provides adequate protection in the event that we have problems. This money is paid to the contractor one year after the job is complete. The Commission determined that although this is a fair request this would be a change to the contract, and recommended Mr. Solemene and Mr. Taylor make this request to the Purchasing Agent.

The Commission returned to the agenda.

OLD BUSINESS:

Approval of Change Order #9

Item tabled from January meeting. Commission requested the contractor provide supporting documentation of the pricing and cost, which has now been submitted. The Commission concluded this is a fair price.

- **Motion (DEVITA) seconded (KALLMEYER) to approve Change Order #9 dated January 6, 2010 in the amount of \$5,746. No discussion. Motion carried unanimously.**

Jog Hill Project – Trench Drain Detail

Item tabled from January meeting. The Commission noted this was a change to the original plan. Mr. Solemene explained this is a very wet area and Mr. Garard determined the trench drainage was necessary. The WPCA at the time approved the change orders. Commissioner Pulie asked who approved the change in the detail. Mr. Garard stated the Town Engineer looked at it. The change totals 46,000 feet of pipe at a cost of \$922,000. This was not an engineered item, it was added in. Commissioner Kallmeyer stated the ground water in Jog Hill is well known so he is not surprised at the extensive trench drainage. What caused a change order of that magnitude? Was this expense necessary? This project has not been assessed yet. This will have to be explained to the forensic auditor. Commissioner Kallmeyer stated if this was done in order to drain the subgrade so that the roads would be better in the future, perhaps it is the cost of the Public Works Department as opposed to a cost of an assessment.

Jog Hill Project – CPP Drainage Location

Mr. Solemene provided as-builts from the contractor of 2,125 linear feet of 15” pipe. In order to have time to study the as-builts,

- **Motion (LYNCH) seconded (KALLMEYER) to table discussion of Jog Hill CPP Drainage Location Detail until the next scheduled meeting. No discussion. Motion carried unanimously.**

\$500 Unit Charge

Item tabled from January meeting. Mr. Solemene stated sewer assessment includes the cost of the contract plus an additional \$500 charge for downstream costs. Commissioner Kallmeyer further explained this is for a fund for future maintenance. In the past the unit charge has been amortized over the 18 years of the assessment. The people end up paying interest on the \$500 when it is not part of the assessment. The Commission discussed a policy change. They agreed that when the first assessment bill goes out, the \$500 would be due and payable over one or two years in quarterly payments, not amortized, and that money would go to retained earnings directly. After further discussion,

- **Motion (KALLMEYER) seconded (LYNCH) to change the policy to collect the \$500 unit charge to be paid in two years, it will not be amortized. Subject to Town Attorney approval. No discussion. Motion carried unanimously.**

User Fee – Second Water Meter for Irrigation System

- **Motion (LYNCH) seconded (PULIE) to table discussion of User Fee, second water meter for irrigation systems, to the next scheduled meeting after Commissioners Kallmeyer and Lynch discuss with Town Attorneys. No discussion. Motion carried unanimously.**

Attorney Tom Lee, 29 Cobblers Hill Road – challenge to maintenance charge to residents with Extension of Time to Connect

Mr. Solemene reported there are 400 residents with Extension of Time to Connect. Mr. Lee has been given all the information he requested. This being a legal issue, Commissioners Kallmeyer and Lynch will discuss with the Town Attorneys.

- **Motion (LYNCH) seconded (PULIE) to table discussion of Tom Lee’s challenge to maintenance charge for residents with Extension of Time to Connect to the next scheduled meeting after Commissioners Kallmeyer and Lynch discuss with Town Attorneys. No discussion. Motion carried unanimously.**

NEW BUSINESS:

Sheet P-69 – Shelton Road Culvert Conflict

Mr. Solemene reported Mark IV Construction has notified him of a conflict with a culvert on Shelton Road. Mark IV states “the plan and profile are devoid of any information regarding this structure and as such we will require direction as to removal and replacement and a vehicle for payment in that this is additional work.” Spath Bjorklund

suggested relocating the main line to avoid the culvert completely as the best solution. Going around the culvert will require an easement.

- **Motion (KALLMEYER) seconded (DEVITA) to accept design change alternate #3 to Plan Sheet P-69 Shelton Road and to acquire an easement on Shelton Road. No discussion. Motion carried unanimously.**

Change Order: Wordins Lane

Invoice submitted by Mark IV Construction for work performed at 11 Wordins Lane to excavate and backfill water service to investigate possible leak supposedly caused by sewer construction in easement. The work revealed no leaks. Part of Jog Hill project. Total amount \$1,385.33

- **Motion (KALLMEYER) seconded (GONCALVES) to approve Mark IV Construction Company's request for a change order for additional work at 11 Wordins Lane, part of Phase IV, Part B, Contract 3, dated January 25, 2010 in the amount of \$1,385.33. No discussion. Motion carried unanimously.**

Change Order: White Plains Road

Repair of electric sign owned by Town. Wire not marked out, damaged by excavation.

- **Motion (KALLMEYER) seconded (GONCALVES) to approve change order for repair of sign on White Plains Road damaged by excavator, dated February 7, 2010 in the amount of \$295. No discussion. Motion carried unanimously.**

Mark IV Request for Compensation – Tennessee Gas Rock Excavation

Mark IV Construction is requesting extra compensation for eight conflict crossings where they are excavating underneath the gas main on this project. Their letter dated February 19, 2010 states "In that the proposal does not provide an item for 'trench excavation – rock by pneumatic means' we consider this additional work and should be compensated as such." The Commission referred to the contract specifications, Division 2 Section 2.5-1/7 TRENCH EXCAVATION AND BACKFILL, which states "a suitable 'shovel' or 'backhoe' is defined as equipment of the proper type, size and power to perform the excavation required."

- **Motion (PULIE) seconded (GONCALVES) to refer the contractor to Contract Specifications, Division 2, Section 2.5-1/7 TRENCH EXCAVATION AND BACKFILL. No discussion. Motion carried unanimously.**

Setting the Agenda

The Commission discussed the policy of setting the agenda. It was decided that the Clerk will email a draft agenda to the Commissioners prior to the meeting and they in turn may reply with any requests for items to be added.

Trumbull WPCA Work List

Commissioner Kallmeyer created a draft list of important issues. The list was included with the agenda.

A Statement of Retained Earnings was received from the Finance Director today. The unaudited balance for period July 1, 2009 through February 24, 2010 is \$1,423,063. This report will be submitted by the Finance Director twice a year.

Mr. Kallmeyer referred to minutes of the June 24, 2009 meeting. At that meeting the Commission voted to approve \$23,071 to rebuild the pump at the White Plains Road Pump Station. The expenditure was rejected by the Board of Finance. Commissioner Kallmeyer stated we have to make the Board of Finance and Town Council understand that we have a fiduciary responsibility to operate this facility. Should the Board of Finance approve of what we do? Commissioners Kallmeyer and Lynch will discuss with the Town Attorneys.

The work list will be discussed at a future meeting.

There being no other business before the Authority,

- **Motion (DEVITA) seconded (KALLMEYER) to adjourn. No discussion. Motion carried unanimously.**

The meeting was adjourned at 11:03 p.m.

Respectfully submitted,

Jenny Francese
Clerk of the Commission