

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, September 28, 2011

Members Present:

Paul Kallmeyer, Vice Chairman
Ennio DeVita
Timothy Hampford
Karen Egri, Alternate

Members Absent:

Jeanine Maietta Lynch, Chairman
Laura Pulie

Also Present:

Stephen M. Savarese, PE/LS, Town Engineer
Joseph Solemene, Assistant WPCA Administrator
Robert J. Nicola, Town Attorney
Fred Mascia, Tighe & Bond, Project Manager
Christine E. Kurtz, Wright-Pierce
Mary Moran, Tax Collector
Roberta Rubenstein, Assistant Tax Collector

The Vice Chairman called to order the regularly scheduled meeting of the Trumbull WPCA for September 28, 2011 in the Long Hill Room at 7:30 p.m.

MOTION made (Kallmeyer) 2nd (Hampford) to take Cristian Dima, 15 Midland Road out of order. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

7. New Business:

Cristian Dima, 15 Midland Road: sewer use fees. Attorney Robert Nicola recused himself and left the room because Mr. Dima is his second cousin. Mr. Dima passed out copies of his sewer use and Aquarion Water Company bills. He stated they purchased their home in the beginning of April and have not moved in yet. There is minimal water usage on the property 1 unit according to the June bill and 2 units on the September bill. He stated they are being billed for sewer usage based on the average of the fourth quarter of the previous year and the first quarter of this year. The bill they received in August was for 33 units and he was told in November they will receive another bill for the exact same amount. He stated essentially they used 3 units and are asked to pay for 66 and that is the problem. Mr. Dima paid the June bill in full and discussion included if the payment should have ended the old numbers and gone to the new consumption numbers. The Vice Chairman told Mr. Dima the Commission will consider his request.

Attorney Nicola returned to the meeting.

MOTION made (Egri) 2nd (DeVita) to move the business related to the Tax Collector's office up on the Agenda. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

6. Old Business:

Discussion: Sewer use delinquencies and part-time collection position. Mary Moran the tax collector and Roberta Rubenstein the assistant tax collector were present. Mrs. Moran addressed issues relating to delinquencies, increase in sewer assessment and use accounts, ways to better manage delinquent sewer accounts and amount of

outstanding balance to commence collection action. Delinquent account information submitted by the tax office was reviewed and the tax collector highlighted the collection approach the tax office wants to implement. Further discussion included a request for a part-time employee in the tax office to concentrate on sewer delinquencies and the approximate cost and time frame for this position. Mrs. Moran stated they have a part-time employee who currently works 19.5 hours per week at \$15.00 per hour and she will increase her hours to 35 hours and this new part-time position will expand efforts to collect before it goes to the Town attorney. The tax collector requested the WPCA approve and fund this part-time position for a period of 3 or 4 months at the approximate cost of \$3,200.00 to \$4,000.00. Roberta Rubenstein gave a brief summary of both assessment and sewer use delinquencies. Threshold amounts to commence collection procedures were also addressed. Different perimeters for collections were discussed and the tax collector informed the Commission the part-timer is available to start immediately. The Commission approved the part-time collection position and requested the Tax Collector give the Commission a report in 3 or 4 months and they will review it again at that time. Mary Moran said she would notify Maria that the WPCA Commission put the ceiling at \$4,000.00 from the WPCA budget for the part time position. The new position will start on October 1, 2011 and the cost shall not exceed \$4,000.00.

MOTION made (Kallmeyer) 2nd (Hampford) to authorize the Tax Collector to start pilot program, estimated cost \$4,000.00, to increase collection rates. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

6. Old Business.

Stewart Barcham, 472 Daniels Farm Road: adjustment sewer use fees. Robert Rubenstein told the Commission Mr. Barcham met with her and Joe Solemene and he is requesting to eliminate the 2 high quarters and use the 8 quarters before the leak. She said she used the new policy using the last 8 quarters which included the quarter that had the leak and the leak adjustment in calculating the adjustment. Joe Solemene said Mr. Barcham wants his sewer use bill based on 8 normal consumption quarters. Joe and Roberta presented a general policy question as to whether or not the 8 previous quarters for the adjustment should be before the leak. The Vice Chairman stated that it is his opinion that was the intent of the Commission because they did not want to penalize the homeowner and it should go back 8 quarters behind the leak issue. This policy clarification was discussed and it was determined there was no need to upgrade the policy. Joe and Roberta will work out the adjustments based on 8 normal regular quarters.

MOTION made (Kallmeyer) 2nd (Hampford) to add Dalal, 10 Squire Court to the Agenda. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

This is the same kind of situation as previously discussed. Roberta Rubenstein summarized Sanjay Dalal's history regarding 10 Squire Court and 216 Beacon Hill Road and pointed out it has nothing to do with the leak policy. The old owner's usage was 38 units and then 142 units and Mr. Dalal paid the entire bill. Roberta stated Mr. Dalal was billed 72 units for the first average and the next bill will be 72 units again. His actual consumption for June was 37 units and for September 161 units. Roberta explained if she uses the actual consumption for June then she will also use the actual for September. Dr. Dalal told Roberta that he has never used that kind of water and she informed him then he has to go to the water company and the Commission agreed.

MOTION made (Kallmeyer) 2nd (DeVita) to add Burst and Smith to the Agenda. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Commissioner Kallmeyer stated Gerald Burst's and Roger Smith's situations are the same as Mr. Dima's. He also noted he does not believe this particular type of circumstance is included in the policy and perhaps it should be. The history is the same the homeowners buy the house and they have a big bill and we require them to pay it and then they don't occupy the house and they have a very low next number. As an example he stated if the old

bill was 33 and the new bill was 1 or 2 then we are charging for 33 that were never consumed. Discussion included establishing a separate category, having an account start at zero when a bill is paid in full by the new owners, new owners' billing starting all over with actual consumption, current billing based on average consumption when the house is empty, and adjusting the bill based on actual consumption. Commissioner Kallmeyer suggested to codify this into something to review next month, but at this point it is the unanimous consent of the WPCA that Roberta Rubenstein has something to work with. The Commission reiterated after the new owners pay the old bill they start from scratch.

Mary Moran and Roberta Rubenstein left the meeting.

MOTION made (Kallmeyer) 2nd (Hampford) to take Wright-Pierce up-date out of order. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

5. Wright-Pierce update.

Christine Kurtz from Wright-Pierce said Commissioners Hampford and Kallmeyer are reviewing the second draft of the feasibility report for the treatment plant and after she receives comments it will be sent to DEEP. Commissioner DeVita also wants a copy and Commissioner Kallmeyer said he will check with the absent Commissioners to see if they also want a copy. She stated phase 1 of the SSES work for the pump station evaluation for Reservoir and Beardsley is in progress. The second phase of SSES is all the field work related to the Reservoir Avenue pump station sewer shed area. She highlighted Wright-Pierce's memo summarizing the activities that have occurred. She said smoke testing is done and went smoothly with not a lot of findings. They are currently doing house to house inspections and after first attempts to get in they are leaving notices and forms and asking the homeowners to fill it out and return it. After Columbus Day they are stopping the first initial attempts and will see how much information they get back. She said they will probably get into about 30-50% of the homes on the first attempt and when they have second and third attempts they have 70-90% but we won't get that here because they are not going back 2 or 3 times. They will use the data they get and project it across the whole area. Discussion took place regarding the memo, manhole inspections and findings, buried manholes, manhole repairs, illegal connections and sump pumps. Ms. Kurtz also said the TV testing of all the piping has not started yet and that's were they look for infrastructure problems. Also, a policy on how to deal with problems needs to be addressed at another time.

MOTION made (Kallmeyer) 2nd (DeVita) to take under New Business: Spath-Bjorklund: Quarry Road out of order. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

7. New Business:

Spath-Bjorklund: Quarry Road. David Bjorklund of Spath-Bjorklund was present and he informed the Commission the Planning and Zoning and Inland Wetlands Commissions approved a 92,000 square foot medical building on Quarry Road. The building will be located between the movie theater and Sikorsky helicopter repair building. He is requesting approval to connect to existing sewer system on Quarry Road. Joe Solemene said the assessment on the pipe was developer installed and the unit charge would be based on the building size.

MOTION made (Kallmeyer) 2nd (Hampford) to allow the connection at 100 Quarry Road for the medical building. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Mr. Bjorklund was asked to give an update on South Nichols. He said they are actively finishing up the plans and doing some value engineering in a couple area including Quail Trail and Foster Avenue, an area off Nichols Avenue, and the pump station. He said he will be meeting with Steve and Joe and expects in 4 to 6 weeks they will deliver final plans. Joe Solemene recapped his phone conversation with Tom from Spath-Bjorklund regarding re-looking at areas to bring the level of the main up. Dave Bjorklund commented on pump systems,

time frames, changes, bidding the contract, size of project, and general information regarding the history of the area and plans.

1. Minutes to previous meeting.

The following corrections and/or additions were requested:

Page 2, paragraph **says:** “The Commission wanted it noted for the record that they do not want inspectors answering residents’ questions in the field.” **Change to:** “The Commission does not want inspectors to answer questions that refer to recommendations or changes to the design.”

It was also noted on page 3 it says “82% of the main line has been installed” and on page 7 it says “85%”.

MOTION made (Kallmeyer) 2nd (Egri) meeting Minutes of July 27, 2011 be accepted as changed by Commissioner DeVita’s recommendation. Discussion. **THREE IN FAVOR (DeVita, Hampford, Kallmeyer) ONE ABSTENSION (Egri). MOTION CARRIED.**

2. Tighe & Bond.

Progress report. Fred Mascia said since the last meeting the contractor has been working on Huntington Turnpike and Teeter Rock Road and 88% of the main pipe line is complete. The pump station is 95% complete and the station is in, the force main is in, and the electrical power is in. Fred said it needs some site work and a gravity sewer from Huntington Road to make it live. The contractor is gearing down and what is left in roadways is a little bit on Teeter Rock, Dogwood Lane and a couple other small areas, but there are 5 or 6 cross country areas that need to be done but are part of the army corps of engineers permit which is currently pending.

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

Change Order R48 (tabled 5/25/11 & 6/22/11): dated March 18, 2011 in the amount of \$251,900.00 for additional cost for borrow. Tighe & Bond has asked for verification of how that the number is generated and they believe existing soil from the site has not been properly utilized. Fred Mascia does not recommend payment and at this point recommends it be denied and not tabled. The contractor can come back in the future with documentation to justify the amount.

MOTION made (DeVita) 2nd (Hampford) to deny change order R48 in the amount of \$251,900.00 for additional cost for borrow. Discussion. **ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.**

Change Order R82: dated July 29, 2011 in the amount of \$1,960.00 to furnish and install inside drop manhole for 100 St. Johns Drive. Inside drop was not originally included on design plans. Fred explained the contractor has been submitting the price of \$350.00 per vertical foot for inside drop and the Commission has paid it on 2 or 3 other occasions. Fred recommended payment. During discussion Commissioner DeVita questioned the cost amount per foot and the Commission wants to know if previous payments have been made at 5.6 feet at \$350.00. It was agreed to table this change order.

MOTION made (Kallmeyer) 2nd (Egri) to table change order R82 in the amount of \$1,960.00 to furnish and install inside drop manhole for 100 St. Johns Drive for the following reasons:

- to see if we can get a better price
- to see if there are any others at this depth that we paid for.

Discussion. **ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.**

Change Order R83: dated August 3, 2011 in the amount of \$923.11 for restoration work at 412 Shelton Road. Fred Mascia explained Change Orders 71 and 83 are for a yard drain that was installed at 412 Shelton Road. More specifically this change order is for restoration work related to Change Order R71 dated July 11, 2011 in the amount of \$998.75 for yard drain at 412 Shelton Road that was denied at the July 27, 2011 meeting. Fred briefly explained the situation and said the contractor was instructed to do the work. He recommends the Commission reconsider Change Order R71 and he recommends payment of both change orders.

MOTION made (DeVita) 2nd (Hampford) to reconsider the July 27, 2011 motion to deny change order R71 in the amount of \$998.75 for yard drain at 412 Shelton Road. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

MOTION made (Kallmeyer) 2nd (Egri) to approve change order R83 in the amount of \$923.11 for restoration work at 412 Shelton Road. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

MOTION made (Kallmeyer) 2nd (Hampford) to approve change order R71 in the amount of \$998.75 for yard drain at 412 Shelton Road. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order R84: dated August 5, 2011 in the amount of \$2,322.95 to remove and replace temporary bituminous concrete pavement. This is for removal and replacement of temporary concrete pavement on the trench on MacDonald Road in April. The patch had to be repaired because it settled over the winter. Fred said the contractor claims the patch was not necessary and we disagree. He does not recommend payment. MOTION made (Hampford) 2nd (Kallmeyer) to deny change order R84 in the amount of \$2,322.95 for removal and replacement of temporary pavement on MacDonald Road. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order R85: dated August 5, 2011 in the amount of \$13,482.00 for installation of lateral for 604 Shelton Road. Fred said this house was not included on the original design plans. The Commission previously approved the work and the work was done. He summarized the options, prices, pay items and the estimated cost of the change order. The final number will be based on the actual quantities put in place. Commissioner DeVita questioned the charges for pre-drilling and the mobe drill. Discussion included pricing, preblast survey, mobe drill, pre-drill, pipe costs and an alternate plan. Fred said he is looking for a budget to work with and he will discuss the Commissions' questions and concerns with the contractor. MOTION made (Kallmeyer) 2nd (Hampford) to approve the budget for change order R85 less the mobe drill and the pre-drill for installation of lateral for 604 Shelton Road. Discussion. THREE IN FAVOR (Hampford, Kallmeyer, Egri) ONE ABSTENSION (DeVita). MOTION CARRIED.

Change Order R86: dated August 16, 2011 in the amount of \$2,401.36 to furnish and install additional stone fill at pump station. Fred said the Commission previously approved foundation stone for the pump station house. After the foundation was built the contractor decided to back fill the interior of the foundation with crushed stone even though the plans did not call for that. Fred said the contractor did it on his own and was not told to put stone in. Payment is not recommended. MOTION made (Hampford) 2nd (Egri) to deny change order R86 in the amount of \$2,401.36 to furnish and install additional stone fill at pump station. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order R87: dated August 19, 2011 in the amount of \$1,567.50 to remove and reinstall existing drainage pipe. Fred said previously the Commission questioned additional pipe removal of about 290 feet and he went back to the contractor on the subsequent pay requisition and he had them credit that back. Now the contractor is saying the removal of the pipe was a mutual agreement between the resident engineer and the field supervisor for Mark IV. Fred highlighted the mediation agreement regarding removal and disposal of pipes and what the contractor is looking for when he does this type of work. These charges are just to move the pipe and then put it back. The pipe was not replaced. MOTION made (Kallmeyer) 2nd (Hampford) to deny change order R87 in the amount of \$1,567.50 to remove and reinstall existing drainage pipe. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order R88: dated August 25, 2011 in the amount of \$896.02 to repair deficient storm drainage. Contractor replaced 4 feet of ICP pipe with plastic pipe and 2 fernco couplings. The contractor was digging

underneath the joint and the joint was bad. Discussion included charges, down time, damaged joints, replacing only the joint, cost of removing and replacing the pipe if was not broken, and plan specifications regarding existing pipe systems. The utility was broken and had to be fixed. It was noted the pipe is a penny item and Fred mediation and the couplings and labor. It was noted the pipe is a penny item and Fred said they are entitled to the cost to purchase 2 ferncos. It was recommended this charge be tabled.

MOTION made (Kallmeyer) 2nd (Hampford) to table change order R88 in the amount of \$896.02 to repair deficient storm drain drainage. No Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order R89: dated August 24, 2011 in the amount of \$2,751.34 for downtime for utility relocation on Huntington Turnpike. This is for work at St. Joseph's High School and Fred explained originally they were to connect with a chimney at the fourth driveway and approached us with a new site plan and volunteered to pay for a new manhole at the southern driveway and gave us where they were looking to tie into. The water main was in direct conflict and was buried and was deeper than anticipate. Commissioner DeVita questioned the cost for surveyors. It was recommended Fred work on the numbers and this be tabled.

MOTION made (Kallmeyer) 2nd (Hampford) to table change order R89 in the amount of \$2,751.31 downtime for utility relocation on Huntington Turnpike. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order R90: dated August 31, 2011 in the amount of \$15,000 – 25,000.00 to relocate gas main to facilitate storm drainage work. As part of replacing the catch basins on Shelton Road 3 are in and 1 is adjacent to a gas main and to get the catch basin in the gas line would need to be relocated. The contractor got a price from Southern Connecticut Gas to relocate it and came back with \$15,000.00 - \$20,000.00. When drainage is moved and not put back in the same location Mark IV charges. Fred Mascia recommends this does not get done and he will work with Public Works to try to get an alternate.

MOTION made (Kallmeyer) 2nd (Hampford) to deny change order R90 in the amount of \$15,000.00 - \$25,000.00 to relocate gas main to facilitate storm drainage work. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order R91: dated September 1, 2011 in the amount of \$2,368.25 for additional work to allow for gravity service. The change is for gravity service and lateral installed deeper than what was on the plan. Contractor claims change was approved by town inspector. It was recommended this charge be tabled.

MOTION made (Hampford) 2nd (Egri) to table change order R91 in the amount of \$2,368.25 for additional work to allow for gravity service. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Change Order R92: dated September 16, 2011 in the amount of \$1,043.00 to furnish and install temporary line striping on Route 108 from Old Green to Primrose. Fred pointed out the commission previously paid similar charges for Shelton Road. Fred recommended payment.

MOTION made (Kallmeyer) 2nd (Hampford) to approve change order R92 in the amount of \$1,043.00 to furnish and install temporary line striping Route 108 from Old Green to Primrose. Discussion. THREE IN FAVOR (Hampford, Kallmeyer, Egri) ONE ABSTENSION (DeVita). MOTION CARRIED.

Change Order R93: dated September 21, 2011 in the amount of \$16,221.00 for additional work laterals at 49 and 53 Old Green Road. This is similar to R85 the laterals were not shown on original plans and was previously approved by the Commission. The charges for pre-drilling and mobe drill were questioned.

MOTION made (Kallmeyer) 2nd (Hampford) to approve the budget for change order R93 less the mobe drill and the pre-drill on both items for additional work for laterals at 49 and 53 Old Green. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

The Chairman called a recess at 9:50 p.m. and reconvened the meeting at 10:00 p.m.

3. Invoice Approval.

Mark IV Construction Co., Inc., Phase IV, Part B – Contract 4 – North Nichols Project, Application #24 dated August 15, 2011 in the amount of \$600,611.03. The Commissioners reviewed the invoice. Fred said they were mainly working on Huntington Turnpike and Teeter Rock Road so production was slow because there was a lot of rock. He stated that the contractor has caught up with the TV testing. Fred also said all the video tapes received to date have been reviewed. The Commission discussed the TV testing and inspections and decided against holding off payment for being behind in the testing that was discussed at previous meetings. Fred also mentioned now that the video is up to date they are having difficulty in getting some of the repairs made. Steve Savarese was asked to send a letter regarding the repairs.

MOTION made (Kallmeyer) 2nd (DeVita) to approve Mark IV Application #24 in the amount of \$600,611.03. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Mark IV Construction Co., Inc., Phase IV, Part B – Contract 4 – North Nichols Project, Application #25 dated September 19, 2011 in the amount of \$700,844.69. The Commission commented on the charges for traffic safety and police.

MOTION made (Kallmeyer) 2nd (Egri) to approve Mark IV Application #25 in the payment amount of \$740,844.69. 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.

5. Old Business.

2218B Huntington Turnpike. Attorney Nicola said a title search was done and he does not see anything limiting or prohibiting the use of the right of way for installation of sewer lines. There is nothing prohibiting the land owner from going down the right of way and connecting into the main street. Discussion included location of lateral, length of pipe needed to connect, costs, legal right to connect, possible easements, removal from the project, option of staying on septic, and how they would be assessed. The estimated added cost to the project cost could be \$30,000 to \$40,000 and because of the excessive cost is why it makes sense to eliminate this home from the project. Attorney Nicola recommended reference to a policy on land locked parcels be noted in the record. This is a land locked policy on extenuating circumstances resulting in exorbitant costs to hook up to the lateral and if there is ultimately a hook up at anytime in any existing system, not even going through a right of way, that there is an understanding that the assessment is levied for that contract.

MOTION made (Kallmeyer) 2nd (Hampford) to remove 2218B Huntington Turnpike from the North Nichols Project with the stipulation that the property will be assessed if it ever connects to the Trumbull public sewer. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Discussion: Public Informational Meeting: The Commissioners will contact the absent Commissioners and schedule a date for the informational meeting. Suggested dates were October 12th or 13th and will be held at one of the schools.

Discussion: Press Release. The Commissioners reviewed the press release. Commissioner Kallmeyer will make the requested changes so the press release can go out. Commissioner Kallmeyer suggested Commissioners DeVita and Pulie investigate what a subsidy might be, evaluate the costs and make a recommendation to the Commission. Joe Solemene will get information from a resident who installed a well as another option. MOTION made (Kallmeyer) 2nd (Hampford) to approve the press release that was included in the packets. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Discussion: Force main break. The Commissioners reviewed the draft policy entitled “Call Before You Dig (CBYD) Policy and agreed to the changes and additions that were suggested and discussed.

MOTION made (Kallmeyer) 2nd (Hampford) that the Call Before You Dig policy be accepted as amended. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Update: SSEC. Commissioner Hampford stated it has been basically dormant for a month and a half. Paul and Tim are getting together a tour of a facility and are working on getting a date. Discussion and comments included the RFP for Wright-Pierce, going out to bid, time frames, contract negotiations, experts, and consultants. Paul and Tim will work on a RFP to have ready for the next meeting and they requested discussions of consultants for future sewer use put on next month's agenda. Commissioner Kallmeyer also said they have to meet with Jeannette Brown, the former Stamford executive director of their WPCA who is a very technical knowledgeable individual and they are thinking of hiring her as a strategist. The SSEC is on hold until they hire strategists and they might schedule a meeting sometime in October.

Update: Audit status of 59 and 20 accounts. Commissioners Kallmeyer and Egri said they have a meeting scheduled with the auditors on October 4, 2011.

Trumbull Board of Education request waiver of F.O.G. fees. The Commission discussed and agreed to waive F.O.G. for the Board of Education. After further discussion it was decided to waive F.O.G. for all municipal buildings.

MOTION made (Hampford) 2nd (Kallmeyer) to approve the Board of Education's request to waive F.O.G. fees. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

MOTION made (Hampford) 2nd (DeVita) to amend the above motion to include all public buildings. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

MOTION made (Kallmeyer) 2nd (DeVita) to approve the main motion as amended. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Ury Moskow, September billing statement regarding contract dispute: Town of Trumbull v. Mark IV Construction. Attorney Nicola stated the Commission has 2 choices: 1 - to do another retainer or 2 - address each bill as it comes through which might be the way to go. The Commission agreed to do it that way for now. MOTION made (Kallmeyer) 2nd (Hampford) to approve Ury & Moskow's bill in the amount of \$2,300.00. Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Wildfire Lane: sewer extension. Steve Savarese said Wildfire Road was part of the Jog Hill contract, was not constructed, and it does not make sense to go back and construct the sewers now. After speaking with several of the homeowners it appears they do not want sewers. After looking through the Minutes it was noted that WPCA Commission never voted to remove Wildfire from the contract and it is a loose end. It was part of redesign where a street was removed and they were not assessed. Joe Solemene stated we are looking for the Commission's approval to postpone Wildfire Lane and remove it from the Jog Hill project. Discussion included questions relating to why sewers were not put in, what the residents want, what can or can't be done now, future connections and assessments, include the street in a future project, and what would happen if one house connects. The Commission agreed to table this item and discuss it with Attorney Kokenos.

Public Works: Contract 3 drainage and driveway paying issues:

1. 150 Oldfield Road. This is a driveway apron issue and the Commission agreed to add it as a punch list item.
2. 15 Marathon Road. This is a driveway apron issue and the Commission agreed to add it as a punch list item.
3. 41 Cobblers Hill Road. The homeowner claims he is getting water in the basement since sewers were installed. Fred Mascia and Steve Savarese went there on Monday and Steve said he can't understand how

the sewer is causing the problem. The Commission agreed the problem is not caused by sewer work done in the easement. This issue was not considered by the Commission.

7. Executive Session:

It is anticipated that the WPCA will vote to go 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:

- o Town of Trumbull v. Mark IV Construction
- o Easements
- o ACOE permit
- o Irrigation systems and dog fences.

MOTION made (Kallmeyer) 2nd (Egri) to close the regularly scheduled meeting at 10:50 p.m. in order to go 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:

- o Town of Trumbull v. Mark IV Construction
- o Easements
- o ACOE permit
- o Irrigation systems and dog fences

In attendance at the executive session will be Commission members, Joe Solemene, Fred Mascia and Attorney Robert Nicola. No Discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Steve Savarese left the meeting at 10:50 p.m.

At 10:50 p.m. the tape recorder was turned off, the Clerk left the room and the Commission went into executive session.

The Clerk was called back into the room at 11:40 p.m. and the recorder was turned on.

MOTION made (Kallmeyer) 2nd (Hampford) to close the executive session at 11:40 p.m. and state for the record that no vote was taken in the executive session. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

MOTION made (Kallmeyer) 2nd (Egri) to adjourn the regularly scheduled meeting for September 28, 2011 at 11:40 p.m. No discussion. ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Submitted by,

Joyce Augustinsky
Clerk of the Commission