

WATER POLLUTION CONTROL AUTHORITY
Town of Trumbull
CONNECTICUT

TOWN HALL
(203) 452-5048



5866 MAIN STREET
TRUMBULL, CT 06611

JUNE 22, 2022
MINUTES

Call to Order: The Chair called the meeting to order at 7:02 p.m.

Roll Call: The clerk called the roll and recorded it as follows:

Present: Chairman Jon Greene, Vice-Chairman Andrew Palo, Tom Kelly, and Richard Boggs, Alternate

Absent: Bruce Elstein

Also

Present: William Maurer, Town Engineer/WPCA Administrator, Town Attorney James Nugent, First Selectman Vicki Tesoro, (arrived at 7:50 p.m.), Christine Kurtz of Wright Pierce and Fred Mascia of Tighe & Bond.

Approval of Minutes:

- Moved by Boggs, seconded by Kelly to approve the May 25, 2022 meeting minutes as submitted. VOTE: Motion CARRIED by unanimous consent.

New Business

- Year-To-Date Budget Report: Mr. Maurer reviewed the YTD Report dated June 20, 2022 with the Commission. The Salaries/Overtime account is over budget due to one sewer maintainer was out on medical and there were two force-main breaks which created the need for overtime. A transfer from another account will be necessary.
Mr. Maurer explained the 83 account and the Retained Earnings is not on the YTD report, \$1.7 million was transferred from Retained Earnings into the 83 account (Capital Projects) for the Beardsley Park force-main project. The commission noted they would need to see a balance statement to better understand the income and expenses and requested the Director of Finance attend a WPCA meeting. Mr. Maurer confirmed the budget is balanced and indicated he would check the Director of Finance's availability.
- Force-main Break at Main Street between Wauneta Road & St. Joseph's Center: Mr. Maurer reported the Whitney Avenue force-main which is approximately 2,000' had water

coming out of a sidewalk. They used dye and found it was 3/8' diameter hole in a 10" ductal iron pipe. The hole was caused by an air pocket. It was fixed relatively quickly and for less than \$10,000. They are looking at installing an air vent that will prevent future issues. This is not indicative of a failure like the Beardsley Park pipe, when the pumps surge and there is an air pocket it is like an air hammer and with oxidation it blows a hole in the pipe. Mr. Maurer confirmed he would look into pricing for the air vent, and expects it to be less than the cost of an emergency repair. One of the advantages is there are two force-mains but the disadvantage is one of the force-mains is right on top of the other, when you try to fix one you have to get into the top of the pipe in order to get the air vent out. That may be a problem and may have to offset one pipe from another just to get to be able to get to the pipe, but there are two force-mains, one can be shut off while working on the other which is a positive. Mr. Maurer confirmed he would install an air vents for both force-mains.

Old Business

- *Collapsed Pipe (Gravity) at Main Street and Clemens Avenue:* Mr. Maurer reported the pipe was lined last week. The pump station was shut down and pumped into tanker trucks for 12-14 hours, they were able to pull apart and replace the valves while the station was down. The lining went well, but it took longer than expected.
- *Bridgeport WPCA FY2022-2023 Budget Update:* The Bridgeport WPCA meeting was yesterday and they approved a new sewer usage rate of \$6.527. The current rate without discount is \$6.28. The Commission had previously applied a 3.6% discount to stabilize the rate through the multiple years of the contract. Mr. Maurer indicated he had budgeted for a 3% increase and the 2% discount in the FY2022-2023 budget. The Chair indicated one of the problems is Trumbull gets the smaller discount against the higher rates.

It was confirmed for the Commission traditionally the proposed new rate is published in the public hearing notice, but the commission can approve any number by vote, there is a subsequent legal notice published, it contains the approved rates.

The Chair calculated the new rate if the 3.6% discount was applied would be approximately \$6.30. Commissioner Boggs stated it may be appropriate to adjust the rate so that the reserve is not depleted. The reserve was depleted sooner than anticipated because of the rate increases, the discount will be gone in a couple of years. The whole point of the averaged discount was not to have our customers feel the adjustment in the discount on top of the rate increase that Bridgeport proposed, but the rate increases are happening against the smaller discounts. It may be appropriate to adjust the average discount rate. The Chair stated he wants to be able to tell the public what the rate will be and why. It was suggested the Commission hold a special meeting to discuss options for the potential rate. Attorney Nugent stated the Commission may want to look at reports and/or data

in advance of the special meeting. The Chair agreed. The Commission agreed the special meeting would be scheduled for July 13, 2022.

The Commission discussed the rate is paid to Bridgeport, but the WPCA operating budget is comprised of the \$33.00 maintenance fee. The Chair noted they have charged the users basically what is paid to Bridgeport using an averaged discount, but the question is if that averaging still works in order to make sure all the numbers work for the next year. Mr. Maurer noted the current rate is \$6.28 less a 3% discount, and the users were paying \$6.08 this fiscal year. Bridgeport raised the rate from \$6.28 to \$6.53 for the next fiscal year, (FY2022-2023).

Ms. Kurtz noted Bridgeport had not begun construction on their project yet. Attorney Nugent noted Ms. Kurtz was involved in the last FOI hearing with the City of Bridgeport, he had predicted Bridgeport would say they didn't have any of the other things that were still missing and essentially that's what they said, it was either buried in their prior responses, which were not evident from their responses, or it didn't exist. Trumbull has gotten everything from Bridgeport that could be extracted as an FOI request, in terms of the rates and the budgeting. Ms. Kurtz confirmed Bridgeport is allowed to estimate certain things such as the CSO's and the events in the system combined with sewer overflows, the water that doesn't make it to the treatment plant.

- Beardsley Force-main Update: Mr. Maurer reported the contract had been awarded to Burns and the lead time is 36 weeks.
- Old Town and Reservoir Avenue Pump Stations Update: Mr. Maurer reported they are waiting for the control panels, they are expected at the end of July. Nothing can happen until all the parts are received.
- Contract 5 Update: The Chair indicated he did not have confidence in the cost estimate or the timelines of the project no matter how good the engineering is due to the current economic environment. He could not see moving forward with this project at this point in time. He believed the proper action would be to table the project and to send notices to the public notifying them that the project is not on the table for construction in the near future and opened this to discussion by the commission.

Commissioner Kelly agreed based on cost estimates the commission has heard to date and the current economic environment, it is not the right time to proceed. The people do need some clarity on whether they should be doing any work on the septic systems. The Chair agreed, this is something that could be brought back to life, the Town has the plans but does not anticipate this project to take place in the next 5-10 years. Mr. Maurer added the roads will have to be paved. The Chair agreed and pointed out that is another reason why the decision has to be implicit.

Commissioner Palo explained the first time the Commission voted on the project he had voted against it because he had not heard an overwhelming demand from the public that they wanted it, there were some who did want it, but there was no health reason to do it. His opinion has not changed, there is even more of a reason not to do it just as Commissioner Kelly had noted. The Chair added that they were looking at numbers that were 50% or more higher than what they were led to believe when they had the informational meeting. This is not the time to have those types of numbers, some people were in favor but slightly more of the people were against the project. Even though he does not like spending money on a plan that may not be used, but he does not see a choice.

First Selectman Vicki A. Tesoro joined the meeting at 7:50 p.m. First Selectman Tesoro explained from the beginning when first elected and this project was discussed she was not in favor of it, she was not in favor of the money to be spent to investigate it. At this point there has been an escalation in costs and to the points made by Commissioners Kelly and Palo and the Chairman, she would like more definitive action taken by this Commission, because there are people that do need to make repairs to their septic systems and thinks some of them have been holding off doing so until they knew definitely what the decision of this Commission was going to be. We do need to finish paving the roads in that area, the worst roads have been paved but several roads are in terrible condition. She encouraged the Commission to take a vote and she would defer to Attorney Nugent on the motion, tabling is what the Commission should do in her eyes, but that is up to the Commission. First Selectman Tesoro would like the residents in that area to know that they if they need to fix their septic systems, they should go ahead and fix them and are not going to incur the expense that this project has risen to.

Attorney Nugent added there was no indication from the Health Department there were any health problems identified, if it was it was very insignificant, there was no pressing need identified. Attorney Nugent suggested the most direct way to resolve this is to make a motion to either approve the project or not to approve it, get a second, and put it to a vote, yay or nay like any agenda item that requires a vote. If it is yes, then the project will go forward and if it is no, then the project does not go forward. If the Commission wanted to add a clause and try to predict for the next 10 years that it's not going forward, but was not sure how to make that prediction. The Chair noted this Commission would probably not be serving in ten years so they could not make a definitive statement on what future boards would do, but as far as this Commission is concerned they could say the intent is that this project is no longer going forward. The Chair thinks a notice should be sent to each person because they were noticed that the project was being considered and was going to the design phase. If it is not going forward they should be notified. Attorney Nugent stated a vote of yes or no on the project would give the people clarity that there is no project and if they need to upgrade their septic they could and if the roads need to be repaired they can be repaired.

Commissioner Boggs didn't disagree with any of the sentiment that had been expressed in terms of the current environment and the wisdom of moving forward with this project at this time. His concerns were the Health Department issues, right now there is nothing screaming for attention, but that could change. It was his understanding that many of the properties in this particular area are not suitable for upgrades to their septic systems. His other concern is, the master plan called for adding sewers all over town but asked Ms. Kurtz for her input. If they elect to not proceed on this particular project what does that mean for other areas of the town? We all recognize that the residents in this area had been in a holding pattern for probably too long but there are other areas that maybe have the same questions but need to keep in mind the fact that there's other areas that may also be impacted by this decision.

Commissioner Regnery noted there are adjacent areas impacted by the fact there is no pump station being built under this contract. He went back and looked at the Contract IV price, and even adjusting for inflation, this project seems to be significantly higher. The current environment makes it too big a risk. Even if it improved, it does seem this project may not have been economically feasible. It does seem to be significantly more expensive than the other contracts. Inflation in the last couple of years has been pretty low before the recent environment. He didn't do a detailed study on various components of the project and how that adjusted over time, but it seems it was extremely expensive, even without the current environment, significantly more than Contract IV.

Ms. Kurtz explained the bigger picture of this area was essentially the last planned area of a sewer extension project. You can't predict if you will have a health issue in other areas, but as far as the sewer service area, and the plan for the town, this larger project was essentially the last of the plan. The Chair clarified the larger project referred to was originally the Contract 5 area which was a much larger area than this section which is a subset, because the commission wanted smaller manageable projects and not to be tearing up large sections of town. Mr. Mascia explained the original Contract 5 was the South Nichols area with over 450 homes, that area was divided into five smaller areas. This Contract 5, the subject at this meeting is approximately 200 homes, less than 50% of the original Contract 5 service area. The Chair noted this vote is an implicit vote for the entirety of the Contract 5 area because this was the linchpin of building out the additional projects thereafter. Ms. Kurtz agreed and noted there are no other planned areas for sewers that would set precedent to these other future areas.

The Chair noted he had asked several times if the Health Department had anything to say and had never heard anything, testing had been done and there were no signs of a pending health problem. There is a risk, these are quarter acre lots, if they have to move their septic systems many of them do not have any way of moving them, but there is no known outstanding issue. Mr. Maurer agreed there are some people who had to repair their systems and there are probably some that still need to repair their systems. Commissioner Palo noted things do change and questioned how old is the Health Department information. The Chair explained there is no

reason to believe there is a health issue, it has been three years since the informational meeting and in the absence of anybody coming forward there has been no change in status, if it was to be done it was not due to an imminent health problem, it was for the potential for it to happen at some point in the future, not because one was identified in the short term.

Moved by Regnery, seconded by Palo to cancel the Contract 5 project. VOTE: Motion CARRIED by unanimous consent.

- Alternate Flow: Moved by Palo, seconded by Boggs to Enter into Executive Session based on CGS 1-210b-7 to present engineering or feasibility estimates relative to the public supply construction costs at 8:07 p.m. VOTE: Motion CARRIED by unanimous consent.

The WPCA Entered into Executive Session at 8:07 p.m. with the following people present: Chairman Jon Green, Vice-Chairman Andrew Palo, Frank Regnery, Tom Kelly, Richard Boggs, Alternate, Town Attorney James Nugent, Town Engineer/WPCA Administrator William Maurer, and Christine Kurtz of Wright Pierce.

Moved by Regnery, seconded by Boggs to END Executive Session at 8:50 p.m. VOTE: Motion CARRIED by unanimous consent.

Adjournment: There being no further business to discuss and upon motion made by Palo, seconded by Kelly the WPCA adjourned by unanimous consent at 8:51 p.m.

Respectfully Submitted,

Margaret D. Mastroni

Margaret D. Mastroni, WPCA Clerk