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**CITY OF NORWALK
WATER POLLUTION CONTROL AUTHORITY VIA ZOOM VIRTUAL
VIDEOCONFERENCE AND TELECONFERENCE
REGULAR MEETING
July 20, 2020**

Attendance: Darren Oustafine, Chairman
Lewis Clark, Vice Chairman
John Igneri
John Bove
John Flynn
Vincenzo Capozzi
George Tsirinides

Staff: Anthony Carr, Chief of Operations and Public Works
Chris Torre, Superintendent of Operations
Ralph Kolb, WPCA Senior Environmental Engineer

Others: Pablo Aymerich
Alison Aymerich

1. CALL TO ORDER

Mr. Oustafine called the meeting to order at 5:31PM.

2. APPROVE THE MINUTES FROM WPCA MEETING HELD ON JUNE 15, 2020 (COPY INCLUDED)

**** MR. IGNERI MOVED TO APPROVE THE MINUTES AS SUBMITTED.**

**** THE MOTION PASSED UNANIMOUSLY.**

3. ACT ON CONNECTION FEE WAIVER REQUEST FOR 16 BOBWHITE DRIVE (LETTER INCLUDED)

Ms. Aymerich said that they have been living at 16 Bobwhite Drive for almost 18 years and in that time have been on septic, and as they are moving to construction as part of a renovation to their home and getting permits to be removed from septic and connect to the city sewer it came to their attention that the entire time they have been living there have been paying the sewer tax in escrow. She said now that they want to connect to the city sewer there is a connection fee of \$3,260 which they are requesting to be waived. Mr. Aymerich said they are not trying to get a refund for the past 17 years but also don't want to have to pay an extra \$3,260 for the sewer connection fee.

Mr. Flynn asked how much in total has been paid for the sewer user fee in the past 17 years. Mr. Aymerich said approximately \$6,000. Mr. Oustafine presented a spreadsheet that he had made to calculate the fees that were paid over the past 17 years and based on his assumption came up with a total of \$4,363 that has been paid. He said his assumption assumes they were paying \$169.20 and in today's money would be \$236.92 so if you add up all the years that they had paid it totals \$5,120, so in either event both of the amounts are well beyond the \$3,260 and suggested that there are two actions the board may want to take. The first one being their request and asked if anyone on the board would like to make a motion to waive the connection fee.

Mr. Kolb said by State Statute staff was able to return three years and it has been processed and is at the Tax Collectors Office to give a credit or make an adjustment. He said sewer use fees were left on for this fiscal year 2020/21 because they will be to connecting. He pointed out that there have been a few requests made to the board in the past and in each case the board had decided not to grant a credit or a waiver for the connection fee because there is an appeal process which has been in existence since the sewer use fee were broken out from the city taxes. Parcel owners that do not agree with the sewer connection fees that are being assessed can make an appeal at any time but the State Statute only allows for a three year adjustment to protect both parties.

Mr. Igneri asked how much has been refunded. Mr. Kolb said approximately \$1,000. Mr. Igneri said to Mr. Kolb's point it is not just about this item and if this is approved it will open the WPCA to anyone else in the city appealing their sewer tax.

Mr. Bovi said he joins Mr. Igneri's with his concerns in that the WPCA would be exceeding our authority based on the State Statute and as Mr. Igneri pointed out the WPCA would be opening up "a can of worms" going forward. Mr. Bovi asked if there is an opinion of the Law Department. Mr. Kolb said not recently but that it was discussed years ago but he will reach out to them.

Mr. Oustafine said that he agrees that the Connecticut General Statute only allows relief for the last three years however, he believes part of the reason the WPCA exists is to adjudicate exactly these types of matters. He said the regulations and bylaws were written so that they do not cover every situation and we have the authority to supersede that or make judgements to interpret it and in his opinion everything the WPCA has done has been fair.

Mr. Carr said in his opinion it was the city's error and the request for a waiver is justifiable and in the end the city will probably end up collecting more of the fee than what was owed to the resident.

Mr. Bovi said that he sympathetic and the equity is on the side of the homeowner but his concern is that is the WPCA prohibited from approving this kind of a waiver. Mr. Igneri said that he agrees with Mr. Bovi.

**** MR. FLYNN MOVED TO APPROVE WAIVING THE \$3,200 SEWER CONNECTION FEE.**

**** MR. IGNERI MOVED TO AMEND THE MOTION TO APPROVE WAIVING THE \$3,200 SEWER CONNECTION FEE WITH THE APPROVAL FROM CORPORATION COUNCIL.
THE MOTION PASSED UNANIMOUSLY.

Mr. Oustafine asked Mr. & Mrs. Aymerich if they understand that if what the WPCA passed is not legal that they will have to pay the \$3,260. Ms. Aymerich said "yes". Mr. Oustafine asked if there is anything the WPCA or staff can do that would allow them to obtain the permits that are needed to move forward with their project being that they have agreed to the terms that if it is not legal they understand they will have to pay the \$3,260 connection fee. Mr. Kolb said staff will contact DPW permits regarding the sewer connection and the Building Department regarding the certificate of occupancy.

4. CONTRACT OPERATIONS REPORT:

a. SUEZ Monthly Operating Report- June 2020 (copy included)

Mr. Kolb reported on the key points and said that SUEZ is in level two for COVID-19 and all their employees are back fulltime. Suez has been very focused on the collections system specifically the hot spot list and were able to get 29,000 feet in cleaning for the month of June, and he has been participating with SUEZ on risk workshops specifically for all of the pump stations and the Wastewater Treatment Plant. SUEZ held a pre-bid walkthrough for the solids handling project upgrade. Mr. Clark asked when the centrifuge is scheduled to be delivered. Mr. Kolb said it is in manufacturing and he doesn't yet have a date of when it will be delivered but he thinks in early fall.

Mr. Kolb said for the month of June compliance has been very good but there was a single contract exceedance but no permit exceedances. The monthly nitrogen numbers have been excellent and they are planning as part of the contract to install additional online analyzers to help with process monitoring.

5. REPORTS

- a. FY 19/20 Revenues/Expenditures MUNIS Report (copy included)

Mr. Kolb pointed out that on the revenue side septage is still down, but connection fees are up and they have collected more in connection fees than was anticipated.

- b. Discussion on WPCA Projects:

- 1) Sanitary Sewer System Rehabilitation- Various locations (copy included)

The project is ongoing and reported on the lining that has been done and said that they have approximately 44,528 feet of lining to do and 1200 feet of excavation repairs. The lining work is approximately 60% complete and they have added work for excavations repairs. He said Green Mountain was offsite for a couple of months due to Covid-19 but have been back working for the past month and continue to work four days a week.

- 2) Wall Street Area Sanitary Sewer Improvements

Mr. Kolb said that CH2M Hill is at 75% of design and anticipate the project going out to bid in the fall.

- 3) Outfall 002-1- Chlorination/Dechlorination Improvements

Mr. Kolb said that CH Nickerson has contacted staff stating that due to some shipping delays they have requested a 45 day extension to the contract and staff agreed and have extended it and notified EPA because it is part of the Administrative Order on Consent. He said staff anticipates the system to be online in mid-September.

Mr. Kolb said that staff is working with SUEZ and ARCADIS on these projects and are waiting for the final scope for the facility plan update, and ARCADIS will work with Planning & Zoning to look at future developments and projected flows to incorporate into the plan so we can better understand over the next 10 to 20 years, and will also look at various processes to be sure we can handle the projected flows and it will be used as a planning tool to look ahead.

- 4) WWTP Blower Evaluation and Facility Plan Update

Mr. Kolb said that there are three operable blowers at the WWTP but are all from the 1980's (rehabbed a couple of years ago) and SUEZ and ARCADIS will be sizing a blower that is energy efficient and sized according to the process needs to optimize the process and remove other organics from the wastewater at a higher efficiency.

- 5) SCADA Upgrade Phase III

Mr. Kolb said that Phase III will add mobile SCADA along with plant processes that are not currently on SCADA will be added on.

- 6) Five Mile, Old Trolley Way, Karen Dr., and Woodward Ave. PS Rehabilitation

Mr. Kolb said that one project will go out to bid this fall to upgrade the Five Mile, Old Trolley Way, Karen Drive and Woodward Avenue Pump Stations.

7) Keeler Brook PS Rehabilitation and Force Main Replacement.

Mr. Kolb said that staff is working with Eversource and CONNDOT due to easement requirements and anticipates the project to go out to bid sometime next year. Mr. Oustafine asked if there has been any movement on the project. Mr. Kolb said “yes” but instead of relocating the station it will be rehabilitated but it is slow-going.

c. Sewer Use Bill Appeals/Adjustments Update

1) Appeal status

Mr. Kolb said that there were two adjustments made and that one bill had gone out that staff did not anticipate for a Housing Authority/Trinity property and the legal department has determined that they are required to pay sewer fees.

d. Information Copies:

1) Nitrogen Credits (copy included)

Mr. Kolb said that Norwalk is number two in the entire State of Connecticut to receive nitrogen credits and will be receiving \$367,680. He said for 2019 the Wastewater Treatment Plant performed very well.

Mr. Carr commended Mr. Kolb and his team for a job well done and the Mayor’s office has also expressed their gratitude and confidence.

**** MR. IGNERI MOVED TO ENTER INTO NEW BUSINESS.**

**** THE MOTION PASSED UNANIMOUSLY.**

There was discussion held regarding the August meeting and it was decided that staff will reach out to the Board members to see who will be available.

Mr. Oustafine asked for an update on the new position that the Board had approved. Mr. Kolb said due to Covid-19 the position was held up and the Personnel Department just advertised the position last week for 60 days.

6. ADJOURNMENT

**** MR. IGNERI MOVED TO ADJOURN**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 6:20PM.

Respectfully submitted,
Dilene Byrd