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**CITY OF NORWALK
WATER POLLUTION CONTROL AUTHORITY VIA ZOOM VIRTUAL
VIDEOCONFERENCE AND TELECONFERENCE
REGULAR MEETING
March 21, 2022**

Attendance: Darren Oustafine, Chairman
Lewis Clark, Vice Chairman
Barbara Smyth
John Igneri
Thomas Keegan
Edwin Camacho

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

Others: John Marcin, Project Manager, SUEZ

Matthew Brown, Asst. Project Manager, SUEZ
Attorney Mathew Todaro, Verrill Dana, LLP

**1. PUBLIC HEARING ON PROPOSED SEWER USE CHARGES TO BE EFFECTIVE
JULY 1, 2022 (NOTICE INCLUDED)**

Mr. Oustafine opened the public hearing at 5:30PM.

**** MR. KEEGAN MOVED TO CLOSE THE PUBLIC HEARING.
** THE MOTION PASSED UNANIMOUSLY.**

Mr. Oustafine closed the public hearing at 5:33PM.

No one from the public attended.

2. TO ORDER

Mr. Oustafine called the meeting to order at 5:33PM.

3. SPECIAL THANK YOU TO LEWIS CLARK AND JOHN FLYNN

Mr. Oustafine said he has been on the WPCA board with both of these gentlemen for the entire time they have been on the board and on behalf of the board thanked Mr. Clark and Mr. Flynn for their service. Mr. Igneri thanked Mr. Clark for all of his help when selecting the contract operator for the Wastewater Treatment Plant. Mr. Kolb added that Mr. Clark was definitely an asset in selecting SUEZ and thanked Mr. Clark for all his years of service.

**4. EXECUTIVE SESSION TO DISCUSS DRAFT CONSENT ORDER, SEWER LATERALS AND
PENDING SEWER APPEALS**

**** MR. IGNERI MOVED TO ENTER INTO EXECUTIVE SESSION.
** THE MOTION PASSED UNANIMOUSLY.**

Executive session began at 5:37PM.

Executive session ended at 6:26PM.

There were no motions made and no votes were taken.

5. APPROVE THE MINUTES FROM WPCA MEETING HELD ON FEBRUARY 22, 2022.
(COPY INCLUDED)

**** MS. SMYTH MOVED TO APPROVE THE MINUTES AS SUMMITTED.**

**** THE MOTION PASSED UNANIMOUSLY.**

6. ACT ON SEWER USE CHARGE ADJUSTMENT FOR 587 CONNECTICUT AVE (587 CTA LLC.)

Attorney Blank said when this was originally discussed the WPCA was considering changing the assessment to apartment use and he thought there was an understanding that would be changed to mixed use going forward. He said more importantly he does not believe the WPCA has the authority to retroactively increase sewer use charges and thought there was an agreement met to resolve this, but the WPCA did not act on it. He said in this case it is particularly harmful to the property owner because the assessment would normally be passed onto to the tenant but by trying to go back multiple years with tenants who are no longer even there the charges cannot be passed on which would mean the property owner would have to be solely responsible for the charges for which they did not get any additional benefit.

Attorney Blank asked Mr. Enters if he had developed the property located at 587 Connecticut Avenue, if his entity still owns that property and what the uses are. Mr. Enter said "yes" and there is one zoning lot with two uses that consists of a storage building and a 55-unit residential building and he owns the residential building. Attorney Blank asked how many water connections come into the site for both uses. Mr. Enters said just one. Attorney Blank asked if a retroactive increase now on the assessment would he be able to retroactively bill that to the past or present tenants. Mr. Enters said "no" and would be a \$40,000 hit to him because of an error in billing. Mr. Enters said he has no interest in suing the city and had offered to split the fee down the middle. Mr. Camacho asked Mr. Enters asked when he received the bill for the sewer use fee in the amount of \$500 if he thought that bill was low. Mr. Enters said this is the first building that he has managed in Norwalk and did not investigate the bill and thinks he is being fair offering to split the bill even considering the \$21,000 that is being charged for each of the two years is 20%-25% more that it would have been if they were able to be on the mixed-use metering. Mr. Oustafine asked if would be helpful if the payment was spread out over the next few years. Mr. Enters said "no" and again he thinks he is being generous offering to pay half of the bill.

**** MR. CAMACHO MOVED TO ACCEPT MR. ENTER'S OFFER AND SETTLE FOR \$20,000.**

**** THE MOTION PASSED UNANIMOUSLY.**

Ms. Smyth left the meeting at 6:50PM.

**** MR. IGNERI MOVED TO SUSPEND THE RULES AND TAKE THE AGENDA OUT OF ORDER.**

**** THE MOTION PASSED UNANIMOUSLY.**

3. SPECIAL THANK YOU TO LEWIS CLARK AND JOHN FLYNN

Mayor Rilling thanked Mr. Clark and Mr. Flynn for their service on the WPCA board and he was impressed with their knowledge of the issues that faced the WPCA and the institutional knowledge that is

very hard to acquire. He said they have served diligently and have served the City of Norwalk well and again thanked them for their service and wished them well.

Mayor Rilling left the meeting at 6:55PM.

7. APPROVE THE SEWER USER RATES TO BE EFFECTIVE JULY 1, 2022

**** MR. IGNERI MOVED TO APPROVE THE SEWER USER RATES TO BE EFFECTIVE JULY 1, 2022.**

**** THE MOTION PASSED UNANIMOUSLY.**

8. APPROVE THE PROPOSED FY 2022-23 OPERATING BUDGET (COPY INCLUDED)

Mr. Kolb said the proposed operating budget proposes a 4% rate increase, approximately \$100,000 for nitrogen credits that they anticipate receiving, an increase in the O&M fees for SUEZ due to amendment number one and inflation as well as an increase in debt service due to ongoing capital improvement projects.

**** MR. IGNERI MOVED TO APPROVE THE PROPOSED FY 2022-23 OPERATING BUDGET.**

**** THE MOTION PASSED UNANIMOUSLY.**

9. APPROVE THE PROPOSED FY 2022-23 CAPITAL BUDGET (COPY ATTACHED)

Mr. Kolb said there is a \$3 million dollar request for collection system rehabilitation.

**** MR. IGNERI MOVED TO APPROVE THE PROPOSED FY 2022-23 CAPITAL BUDGET.**

**** THE MOTION PASSED UNANIMOUSLY.**

10. AUTHORIZE THE CHIEF OF OPERATIONS AND PUBLIC WORKS TO ISSUE ORDERS ON CONTRACT WITH A. VITTI, EXCAVATORS, LLC. FOR THE BELDEN AVENUE SEWER IMPROVEMENTS PROJECT (WPCA 2021-02) FOR AN AMOUNT NOT TO EXCEED \$30,000

Mr. Kolb said the project has been completed and the only item remaining is restoration. Overall the project was very challenging with many unknown utilities conflicts and ran over budget, but even with this additional amount the project will close out below the second bidder. These additional funds are needed to finalize the payment to the contractor.

**** MR. KEEGAN MOVED TO APPROVE THE ITEM.**

**** THE MOTION PASSED UNANIMOUSLY.**

11. AUTHORIZE THE CHIEF OF OPERATIONS AND PUBLIC WORKS TO REIMBURSE SUEZ IN THE AMOUNT OF \$290,377.40 FOR CLEANUP COSTS RELATED TO TROPICAL STORMS ELSA AND IDA (COPIES INCLUDED)

Mr. Kolb said the biggest costs for Tropical Storm Elsa were grit issues where they lost all three screens and have included their overtime labor costs only as well as outside labor costs for emergency pumping and removed approximately 44 tons of grit from the areas and restoring them to operating status.

Mr. Kolb said in September Tropical Storm IDA hit and again has some grit issues that filled the grit tanks and needed to have a contractor come in and remove the grit from the two tanks. He also said that at the Keeler Brook pump station where the dry side of the pump station got flooded which created a hazardous condition, so an environmental contractor was brought in to pump it down and treat and help to get the station accessible. He said the only charge from SUEZ is the overtime labor charges only that is outside the scope of work and the city is documenting the costs because there are FEMA funds available so these charges will be part of the application and if the city does receive funds staff will work with the city's finance department to get the funds back to the WPCA.

**** MR.IGNERI MOVED TO APPROVE THE ITEM.**

**** THE MOTION PASSED UNANIMOUSLY.**

12. CONTRACT OPERATIONS REPORT:

a. Veolia Merger Update

Mr. Marcin reported and said the merger between SUEZ North America and Veolia took place last Thursday and are now officially Veolia North America so there is now even more resources available to serve the city.

b. SUEZ Monthly Operating Report- March 2022 (copy included)

Mr. Marcin reported and said that the Covid restrictions have been reduced and are fully back to level zero and are now accepting visitors and will be having Norwalk Community College for a tour at the end of the month.

c. Sludge Blend Tank Rehabilitation Update

Mr. Marcin said they are still working with two engineering companies to get a final evaluation and repair plan for those steel tanks but do have one that is online that is meeting all of their needs and plan to get the job finished by the next meeting.

d. Seaview Avenue Sanitary Sewer

Mr. Marcin reported and said there was a large sewer collapse on Seaview Avenue and the team did a great job and there were no SSO's and did not release any sewage into the harbor. Mr. Kolb said after the emergency repair Green Mountain Pipeline Services lined on Seaview Avenue from Fort Point Street to Betts Place and will be going back to Seaview Avenue @ Osborne Avenue to install a manhole and will then line the last section of pipe.

e. Orchard Street Sanitary Sewer Improvements Update

Mr. Marcin provided an update said the Orchard Street improvements continue to progress and are just waiting on some final feedback from Metro North regarding the pumping.

- f. Major Repair or Replacement/ Out of Scope Items: None

13. REPORTS:

- a. FY 21/22 Revenues/Expenditures MUNIS Report (copy included)

There was no discussion.

- b. Discussion on WPCA Projects:

1. Collections System Master Planning

Mr. Kolb said there is a meeting scheduled later this week and are working with Brown and Caldwell on the hydraulic model calibration

2. Collections- Sanitary Sewer System Rehabilitation- Various Locations

Mr. Kolb said that as he mentioned earlier that Seaview Avenue has been lined and continue to work with Green Mountain on some punch list items to finish out the contract. He also said due to Tropical Storm IDA there was a significant erosion at Oyster Shell Park and have engaged Green Mountain to give a price to line the sanitary sewer so it does not go any further.

3. Collection- Wall Street/2 Knight Street Relocation and Improvements

Mr. Kolb said that Holzner Electric said the work has been slow due to the winter and are still early in that construction project.

4. Collection- Belden and Burnell Blvd. Gravity sewer

This was discussed under item 10 of the agenda.

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

Mr. Kolb said that Kovacs Construction just completed the bypass connection for the Five Mile pump station last Friday, the Woodward Avenue bypass connection has been completed and are now coming up with a plan to install the bypass connection on Old Trolley Way.

6. PS- Bell Island PS Improvements

Mr. Kolb said that a manhole or concrete chamber will be placed on top of the existing force main and a bypass connection will be done for that station. He said there currently is no bypass connection so if there were a major failure would need to haul with tanker trucks until a temporary connection could be installed.

7. WWTP- Aeration Tanks Electrical Infrastructure Improvements

Mr. Kolb said that Kovacs Construction was awarded the contract to improve the electrical infrastructure at the Wastewater Treatment Plant and have just had the kickoff meeting.

8. SCADA Upgrade Phase III

Mr. Kolb said they continue to go through the punch list items.

c. Sewer Bill Appeals/Adjustments Update

Mr. Kolb said the appeals to date are \$203,625. He said the number increased because there was a recent adjustment of approximately \$66,000.

d. Information Copies: None

14. ADJOURNMENT

**** MR. CLARK MOVED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:20PM.

Respectfully submitted,

Dilene Byrd