

CITY OF NORWALK
WATER POLLUTION CONTROL AUTHORITY
May 19, 2014

Attendance: Darren Oustafine, Chairman
Lewis Clark, Vice Chairman
James Clark
John Flynn
Galen Wells
Doug Hempstead

Staff: Hal Alvord, DPW Director
Ralph Kolb, DPW Senior Environmental Engineer

Others: John Ahern, CH2MHill, OMI, INC
Scott Orenstein, Updike, Kelly and Spellacy
Susan Sweitzer, Redevelopment Agency
Ela Lagasse, Redevelopment Agency

1. CALL TO ORDER

Chairman Oustafine called the meeting to order at 5:34PM

**2. EXECUTIVE SESSION TO DISCUSS ONGOING LITIGATION WITH
FLOWSERVE ABOUT MAIN LIFT PUMPS' FAILURE**

**** MR. JAMES CLARK MOVED TO ENTER INTO EXECUTIVE SESSION**

**** MOTION PASSED UNANIMOUSLY**

Executive session began at 5:34PM

Executive session ended at 5:55PM

**** MR. LEWIS CLARK MOVED TO SUSPEND THE RULES TO DISCUSS THE MAIN LIFT
PUMPS**

**** MOTION PASSED UNANIMOUSLY**

**** MR. LEWIS CLARK MOVED TO AUTHORIZE THE CHAIRMAN TO ENTER INTO
CONTRACT WITH CDM FOR ENGINEERING TECHNICAL INVESTIGATION OF
REPLACING THE FLOWSERVE MAIN LIFT PUMPS WITH FLYGT PUMPS FOR A SUM NOT
TO EXCEED \$50,000.**

**** MOTION PASSED UNANIMOUSLY**

**** MR. FLYNN MOVED TO SUSPEND THE RULES TO DISCUSS WAYPOINT**

**** MOTION PASSED UNANIMOUSLY**

Ms. Sweitzer said that in 2006 the Common Council unanimously found that the West Avenue corridor met the state statute requirements for a blighted area, and approved the West Avenue development plan, which began the initiatives of public investment in that area. She said that the state and the city have contributed considerable dollars into infrastructure improvements and planning, and that all of this was set up as an incentive to attract investors into that market area. Ms. Lagasse said that the certificate of occupancy may be temporarily withheld if the vote is not approved by the WPCA to waive the connection fees. Mr. Hempstead asked if there has been a commitment by the city. Ms. Sweitzer said "no" but there is for investment in the Waypoint Project in the capital budget fund, and that there is also a commitment on behalf of the agency, in which the agency commissioners took to vote last fall to put before the WPCA a request a waiver, but that the city never committed to waiving the fees. Mr. Hempstead asked what the total fee will be. Ms. Lagasse said \$97,800. Mr. Kolb clarified that that was only for the mid-block and not the entire project. Mr. James Clark said that he has a difficult time supporting waiving the fees because the fees are in place for a reason, and that the taxpayer would ultimately have to cover the cost, and that he has not heard anything supporting taking action to waive them. Mr. Oustafine said that he does not think it is fair to the rate payer and that he is not in support of the waiving the fee. Ms. Sweitzer asked if there can be some formal communications with the Department of Public Works so that the temporary certificate of occupancy is not withheld. Mr. Alvord said "no" and that he is the one that gave that directive to his staff, and he has advised his staff not to give any approval for further certificate of occupancy, or temporary certificate of occupancy until the issue is resolved. He said it is unfair to the people who are paying the fee. After further discussion it was decided that staff will include this as an action item on next month's agenda.

3. APPROVE THE MINUTES FROM WPCA MEETING HELD ON APRIL 21, 2014 (COPY INCLUDED)

Mr. James Clark said on Page 1, in the attendance to change "Cook" to "Koch"

Mr. Oustafine said on Page 2, Item 6, to change "captial" to "capital"

Mr. Oustafine said on Page 2, Item 8, Line , to delete "and"

**** MR. FLYNN MOVED TO APPROVE THE MINUTES**

**** MOTION PASSED UNANIMOUSLY**

4. AUTHORIZE THE CHAIRMAN OR VICE CHAIRMAN OF THE WATER POLLUTION CONTROL AUTHORITY TO EXECUTE AN AMENDMENT TO THE JUNE 11, 2013 WITH ARCADIS U.S., INC. IN THE AMOUNT OF \$239,000 TO PROVIDE CONSTRUCTION ADMINISTRATION SERVICES FOR THE BEACON STREET INTERCEPTOR SERVICE AREA PROJECT IN ACCORDANCE WITH A LETTER PROPOSAL DATED MAY 13, 2014 (COPY INCLUDED).

ACCOUNT NO. 09114062-5777-C0361

Mr. Flynn asked who reviewed this proposal and what the process was. Mr. Kolb said that he had contacted ARCADIS and they submitted a proposal. Mr. Flynn asked if they were one of

several bidders. Mr. Alvord said that there are no bids for this item, and that it is qualifications based selection, and ARCADIS has done work for the WPCA for the past 20 years.

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

**** MOTION PASSED UNANIMOUSLY**

5. AUTHORIZE THE CHAIRMAN OR VICE CHAIRMAN OF THE WATER POLLUTION CONTROL AUTHORITY TO EXECUTE AN AGREEMENT WITH HEITKAMP, INC. IN THE AMOUNT OF \$1,748,239.10 FOR THE BEACON STREET INTERCEPTOR SERVICE AREA PROJECT (PROJECT: WPCA2014-1). (BID DOCUMENTS ATTACHED)

Mr. Lewis Clark asked staff to describe the Beacon Street project. Mr. Kolb said that the project consists of lining 20,000 linear feet of sanitary sewer pipe. He said that the majority is 15-inch clay tile pipe with joints every 2 feet that allows roots to grow in the pipe that cause many problems over the years with it surcharging. He said easement areas are difficult to clean and maintain and by lining it will prevent any root structure from growing back into the sanitary sewer line. Mr. Hempstead asked if the bids were verified being that they were so close. Mr. Kolb said "yes" that ARCADIS has verified the numbers, and that National Water Main has not protested the results, and they have acknowledged that they were not the low bidder.

Account Nos. 09114062-5777-C0361, 09124062-5777-C0361, 09134062-5777-C0361

6. AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ISSUE ORDERS ON CONTRACT TO HEITKAMP, INC. FOR THE BEACON STREET INTERCEPTOR SERVICE AREA PROJECT (PROJECT: WPCA2014-1) FOR AN AMOUNT NOT TO EXCEED \$174,824.

Account No. 09134062-5777-C0361

7. REPORTS

- a. FY13/14 Revenues/Expenditures Report (MUNIS report included)
Mr. Kolb said that Wilton has paid their invoice in the amount of \$505,061, for the sewer use charges and that it is reflected in the report. He said that overall everything is tracking as anticipated on both the revenue and expense side.

- b. Sewer Use Bill Appeals/Adjustments Update
 1. Appeal Status
Mr. Kolb said that the adjustments to date are \$40,370

2. Sewer Use Fee Billing (FY 14-15)

Mr. Kolb said that the Tax Assessor has done two major items this year, and that one is they have switched software systems and in conjunction with that have done a reevaluation of all properties. He said as staff was putting together the billing for this year, it was discovered that there are properties that were residential in the past, that are now considered commercial because of the land use code by the new system, and may be billed the consumption rate rather than the unit rate. He also said since the First District Water Department does not provide water accounts that are in an individual's name for a business's, a special billing was done several years ago. He said with the new software some of the parcels that had been formally based on the number of units may now fall in that commercial category, and will be billed based on consumption. He said that staff wanted to make the board aware that there will be a lot more appeals this year than there has been in the recent past.

c. Information Copies:

1. OMI Monthly Report- April 2014 (copy included)

Mr. Kolb reported on the collections system and said that there have been four spills over the last two months at the Old Trolley Way pump station, and that OMI has identified some of the electrical issues. He said that they have outsourced the repair because it is a higher level of work than what is in house. He said that nitrogen fell into band "D"

2. Final Nitrogen Credit- 2013 (copy included)

Mr. Kolb said that Norwalk will receive \$65,525 in nitrogen credits.

8. ADJOURNMENT

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

**** MOTION PASSED UNANIMOUSLY**

The meeting adjourned at 7:40PM

Respectfully Submitted,

Dilene Byrd