



# PUBLIC UTILITIES COMMISSION

Bethel Municipal Center, 1 School Street  
Bethel, Connecticut 06801 Telephone: (203) 794-8501

## MINUTES OF SPECIAL MEETING

Monday, May 24, 2010

4:00 p.m.

C.J. Hurgin Municipal Center – Meeting Room “A”

RECEIVED

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TOWN OF BETHEL  
TOWN CLERK

**Present:** First Selectman Matthew Knickerbocker, Selectmen Richard Straiton, Selectman Paul Szatkowski and Commissioners Michael Gribbin and Peter Valenti. Also in attendance were Town Engineer Andrew Morosky, Utility Consultant Len Assard, Utility Supervisor Kelly Curtis and Town Attorney Martin Lawlor.

**Call to Order:** First Selectman Knickerbocker called the Special Meeting to order at 4:00 p.m. and led the Pledge of Allegiance.

**Correspondence:** None

### Old Business:

- **Hydrant / Fire Protection and Water / Sewer Rate Charges:** First Selectman Knickerbocker indicated to the commission that the Board of Selectmen recently approved the appointment of Mr. Bob Kozlowski as Interim Comptroller. Mr. Kozlowski will be providing Chris Woodcock with the financial information needed to complete the review and update of the rate study. First Selectman Knickerbocker would like to thank Mr. Kozlowski for his hard work and effort in stepping into this position on short notice.

**Selectman Straiton made a motion which was seconded by Selectman Szatkowski to table the discussion of the Hydrant / Fire Protection and Water / Sewer Rate Charges.** While the discussion took place, Commissioner Gribbin distributed documentation from the City of Danbury regarding their recent action with respect to Water Rates. Commissioner Gribbin indicated that Danbury sells (for additional revenue) truckloads of pool water. Selectman Straiton indicated that Bethel Consolidated sold pool water as well. This may be a source of revenue for our commission as well. **Vote, all in favor, motion unanimously approved.**

- **Walnut Hill Pump Station, Parcel Z land of Deanna June Piera:** Attorney Lawlor indicated he needs the cost of dredging of the ponds located on the property of the Pump

Station in order to move forward with this item. Mr. Morosky indicated he may have those numbers in July, pending Inland Wetlands approval. Attorney Lawlor would rather have the numbers for next month's meeting in order to avoid complications. Mr. Morosky indicated he could produce a budgetary cost for the project by next month's meeting. Commissioner Valenti asked if there's an RFP out for this project. Mr. Morosky stated the site plan needs to be completed and Inland Wetlands signoff is needed prior to any bids or quotes being submitted. Attorney Lawlor commented that a Public Hearing will be needed and during the hearing it will need to be explained that the Town will own the land but the Public Utility Commission will be paying for the work on the property for the sewer project. Attorney Lawlor indicated to Mr. Morosky that an 8-24 referral letter is needed from the Board of Selectmen.

**Selectman Straiton made a motion, which was seconded by Commissioner Gribbin to refer the Walnut Hill Pump Station to the Board of Selectman for their review. Vote, all in favor, motion unanimously approved.**

- **Stony Hill Sewer Project; Manholes settling on Payne Road and Clogged Pipeline on Walnut Hill Road:** Commissioner Valenti inquired about the cost of repairs, including material and manpower, to repair the clogged pipeline on Walnut Hill Road. Mr. Morosky explained the work that was required to complete and correct the issue but indicated he did not have final costs at the moment. Commissioner Valenti as well as Selectman Straiton indicated that Ludlow should be held responsible for the cost of repairs. Mr. Morosky will contact Ludlow to discuss the cost of the repairs and seek appropriate compensation. Selectman Straiton questioned whether the home owner across from the clogged pipe had any damage as a result of this clog. Mr. Morosky indicated that the homeowner used several sump pumps working at the same time to handle the volume of water, but that this was due to the high groundwater in the area and not necessarily the clogged pipe.

**Selectman Straiton made a motion, which was seconded by Commissioner Valenti to table to next meeting for further discussion and to get estimates for repairs needed for the Stony Hill Sewer Project including settling near manholes on Payne Road and clogged pipe lines on Walnut Hill Road.**

Discussion took place about the reason for the trench settlement near the manholes. Selectman Straiton questioned whether the URS engineers reviewed the settlement on Payne Road. Mr. Morosky indicated that Peter Sammis had been on site in early April to review the settling in the pavement but that he had not seen or heard an official opinion from him. Mr. Morosky indicated that he spoke today with Peter Sammis' supervisor regarding the situation and indicated that he had offered some potential solutions to address what happened at Castle Hill Road. Underground drainage may be needed to reduce the influence of ground water from Castle Hill Road on Payne Road. Selectman Straiton wanted to know if the design or the installation on Payne Road was a failure. Mr. Morosky indicated that, based on his understanding, Ludlow installed what was submitted to them in the design. Mr. Morosky indicated that URS had borings done on Castle Hill Road and throughout the sewer project which should have given them

information about groundwater as well as the underlying native material. Commissioner Valenti commented on what may be poor engineering by not accounting for groundwater relief as well as drainage on Castle Hill.

First Selectman Knickerbocker asked Attorney Lawlor to prepare a letter to URS requesting reimbursement for the cost of the repairs. Attorney Lawlor indicated that he will need the full amount for the repairs to date. Mr. Morosky will need to determine the cost of repairs on Payne Road. Mr. Assard indicated that URS will likely give the PUC a design of the repair at no charge. Commissioner Valenti indicated that the company (URS) is insured against Errors and Omissions. Commissioner Gribbin asked about who the clerk of the works was in the field and they should have seen this happening. Commissioner Valenti would like to see Mr. Sammis at the next meeting.

**Vote, all in favor, motion unanimously approved.**

- **Memorandum from Steve Palmer, Town Planner - Transit Oriented Development (TOD):** First Selectman Knickerbocker indicated this is primarily an informational item; Mr. Palmer is scheduling a Public Hearing to discuss the plan and take comments. Commissioners discussed need to reallocate sewage from the Stony Hill area to downtown or look to Danbury for additional allocations. Planning and Zoning will need to factor into the TOD the existing allocations and consider how much additional sewage will be required to accommodate changes in housing density.

**Selectman Straiton made a motion, which was seconded by Selectman Szatkowski to Table TOD for further discussion. Vote, all in favor, motion unanimously approved.**

- **Vail's Crest Subdivision – Letter from CCA:**

Abigail Adams, Project Manager from CCA sent a letter to the commission requesting guidance as to the status of the sewer project on Vail Road. The developers would like to move forward with the subdivision. One house has already been built with a septic system and a second is now planned. Commissioners discussed the situation on Vail Road, noting that the sewer project may not ever be built there. Mr. Assard indicated that on July 7, 2008 a motion was approved for a temporary force main. See below from the minutes of July 7, 2008:

*CCA - Vail Road: Representative from CCA consultants presented their proposal to start construction of a temporary 3-inch force main on Vail Road which will be placed in the shoulder of the road. The force main shall be abandoned, cut and capped in place upon completion of the gravity sewer main in Vail Road and connection of each of the active laterals from the subject development to the proposed sewer main.*

*The commission discussed the need to compel property owners to connect to the permanent sewer system once it is available. The commission agreed that a cash bond would serve this purpose.*

*First Selectman Burke made a motion, which was seconded by Commissioner Michael Gribbin for approval of a temporary force main to serve lot 2 through 11. A cash bond of \$5,000 shall be posted for each lot that is to connect to the temporary force main. A cash bond in the amount of \$10,000 shall be posted to cover any necessary repairs to the force main. Vote: All in favor, motion carries. All in Favor, Motion Carries.*

**Selectman Straiton made a motion, which was seconded by Commissioner Valenti to forward to CCA the previously approved motion regarding the temporary force main. Vote, all in favor, motion unanimously approved.**

- **Mr. Tariq Wasti, 7 Wine Sap Run; Sewer line extension:** Commissioners discussed allocations and sewer district lines. This homeowner has a failing septic and has been flagged by the health department and this property is located next to the end of sewer line.

**First Selectman Knickerbocker made a motion, which was seconded by Commissioner Gribbin to table this discussion and have the Bethel Department of Public Works and the Utility Consultant, in consultation with Town Counsel for legal opinions, make a recommendation to the Commission. Vote, all in favor, motion unanimously approved.**

- **Employment Advertisement Utilities Department:** Mr. Curtis stated that the posting internally has gone up per requirements of the Union, that will be up until May 27<sup>th</sup> then it can go outside to the Public.
- **Adams Drive Easements – Weinkauff and Riley Properties:** Attorney Lawlor indicated he has agreement with Weinkauff and Riley. Signing will be scheduled shortly.

Respectfully submitted,



Tracy Rogalski, Recording Secretary