

Water Pollution Control Authority  
March 28, 2012  
Regular Meeting  
Town Hall – Council Chambers

Members Present: Mr. Steve Eberle  
Mr. Matt Bowman  
Mr. Walter Gancarz  
Mr. Tim Pelton (Chairman)  
Mr. John Perrotti

Members Absent: Mr. Thomas Scannell

Others Present: Mr. Dennis Dievert, Superintendent, WPCD  
Mr. Donald Chelton, AECOM

Chairman Pelton called the meeting to order at 7:41 p.m. Roll was called and a quorum determined. The assembled group recited the Pledge of Allegiance. Mr. Pelton explained to the audience how to exit the chamber in the event of an emergency, in compliance with the Fire Marshal's order.

## **PUBLIC COMMUNICATIONS**

Mr. Pelton referred to correspondence from Kachina Walsh-Weaver of DEEP regarding an update on phosphorous removal strategies. The correspondence states that Cheshire will be on the priority list for a 30% grant for the phosphorus removal project. The language of the bill is still a "work in progress". The bill also has been modified to include the word "nutrient" in the document language.

Mr. Chelton inquired about a newspaper article which referenced conversations with the Department of Corrections regarding helping to fund the sewer project, or to increase the fees paid to the town for use of the sewer. Mr. Pelton stated that the Town Manager and Town Attorney Andrew Lord have been in conversation with representatives of the Department of Correction. Attorney Lord will be requested to discuss this issue at the next meeting.

Mr. Pelton noted that the news about the 30% grant funding, as well as the possibility of increased contributions from the Department of Correction are both positive events relating to the sewer project.

## **APPLICATIONS**

There were no applications to come before the Water Pollution Control Authority.

## REGULAR MONTHLY MEETING

### Establishment of Application Fees

Mr. Pelton stated that there was no one from the public at the public hearing, nor were there any questions or comments from Authority members.

Mr. Pelton moved that the Water Pollution Control Authority adopt the following amendments to the Cheshire Sewer Regulations in accordance with the provisions of Chapter 103, Section 7-247 of the Connecticut General Statutes and Chapter 12-6 of the Cheshire Code of Ordinances:

#### Amendment to Fees (5.4)

	<b><u>FEES</u></b>
<u>Residential Development</u> - Pertains to all types residential units including subdivisions, cluster subdivision, condominiums, apartments, age restricted, or affordable housing.	
Feasibility Application	\$ 25.00 base fee + \$ 5.00 per dwelling unit
Final Design Approval Application	\$ 25.00 base fee + \$ 10.00 per dwelling unit
Award of Capacity	\$ 25.00 fee
<u>Commercial &amp; Industrial Applications</u>	
Feasibility Application	\$ 25.00 base fee + new additions or new buildings of 5,000 square feet or greater shall add an additional fee of \$.05 per 10 square foot of addition or building
Final Design Approval Application	\$ 25.00 base fee + new additions or new buildings of 5,000 square feet or greater shall add an additional fee of \$.05 per 5 square foot of addition or building.
Award of Capacity	\$ 25.00 fee
Mixed use application which contain Residential in combination with Commercial shall pay only one \$25 base fee per application, plus the applicable fee per residential unit and/or square footage	
Groundwater discharge fee	\$0.01 per gallon discharged to sewer system

Upon approval of Connecticut Department of Energy and Environmental Protection general permit for groundwater discharge the permittee shall submit to the Town of Cheshire total gallons of waste water discharged to the sewer on a monthly basis. The Cheshire WPCD will issue an invoice on a quarterly basis at \$ 0.01 per gallon on the total of waste water discharged to the sewer system for that quarter.	
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Notes:

All fees shall be paid by payable to the "Collector, Town of Cheshire" at the time the application is filed. An insufficient funds fee of fifty dollars (\$50.00) will be charged for all returned checks. Fees may be paid for in cash if the amount of the fee to be paid is \$100 or less.

Payments of these fees are for the processing and review of applications. This is not in lieu of any other charges such as sewer assessments, connection, capacity, or inspection fees.

No fee shall be charged when the Town of Cheshire is the applicant or petitioner.

The motion was seconded by Mr. Bowman and carried unanimously.

Cook Hill Pump Station Design Project

Mr. Dievert reported that Wright-Pierce is working on 100% design documents. Once completed a meeting will take place with representatives of Elim Park to discuss budget contributions from the facility, as Elim Park is the primary user of the pump station.

Mr. Eberle moved that the Water Pollution Control Authority approve Invoice #82615 of Wright-Pierce in the amount of \$6,776.81 for work related to the Cook Hill Pump Station Project. The motion was seconded by Mr. Perrotti and carried unanimously.

WPCD Plant Upgrade Design-Project Update

Mr. Chelton reiterated the good news that Cheshire is on the draft priority list to receive a 30% grant and a 2% loan relating to the plant upgrade project. He informed the Authority that he and Mr. Dievert and Mr. Pelton attended the public hearing regarding this project in early March. There was a concern before the public hearing because the city of New Haven increased its request from 40M to 50M. However, it did not affect Cheshire's position for funding.

At the public hearing Mr. Pelton spoke and delivered written comments regarding phosphorus reduction. Mr. Chelton stated that he is hopeful that the list will be finalized

next week. Mr. Chelton stated that decisions now have to be made regarding design of the plant, since the disc filters were removed from design and now will most likely have to be included.

Mr. Chelton noted that if the Authority makes the decision to include the disk filters, it will be necessary to select a vendor in order to complete design. He further commented that the Town Council has been discussing costs for the sewer project, and he wants to be sure that the Authority is clear on what AECOM's cost estimates are at the current stage of the project.

At this time the project is at the 30% design stage and the project cost is estimate is 30.3M. That figure was reduced from 32.3M as a result of value engineering. Taking into consideration the cost of inflation over the next 2 ½ years, Mr. Chelton is recommending that the current estimate should be 32.1M.

The plan is to place the project on the referendum in November, and if the project passes then design will continue final design should be complete in April or May of 2013.

Mr. Pelton informed the Authority that the NPDES Permit is about to be released from DEEP. It will be necessary to design the plant upgrade to meet the permit requirements to remove phosphorous to the .2% level. That will require putting the disk filters back into the design of the upgrade. It is important that the requirements are met so as not to jeopardize the State funding for the project.

Mr. Pelton inquired as to whether there are any other new technologies available for phosphorous removal. Mr. Chelton responded that there may be some emerging technologies, but at this time they would be extremely expensive and not well tested. He also commented about the possibility of the coalition being able to lower the phosphorous limits.

Mr. Dievert stated that the permit process is in its final review stage and will be issued shortly. Representatives of the DEEP will meet with Mr. Dievert to discuss the permit limits. It is important that Cheshire comply with the permit limits. He is confident that the phosphorous limit will be .2%.

Mr. Perrotti stated that it appears that the disk filters will have to go back into design of the project. It will be helpful if the contribution from the CCI is increased, in addition to the 30% State grant and 2% loan for the balance of the project funding. Mr. Gancarz stated that it will now be possible to have a more definitive cost estimate available for the referendum.

Mr. Chelton stated that it will now be necessary to begin the pre-selection process because the disk filters are now back in the design of the project. Phasing the project was discussed, but Mr. Chelton advised that it is not advisable to break up the project costs.

Mr. Pelton inquired as to what percentage of the project design will be complete by September. Mr. Chelton responded that obviously the project will have to be redesigned to include the disk filters. He noted that the pre-selection process for a vendor will come first, and then the project will be designed around the vendor's product. There is also a requirement that the vendor do some pilot testing at the plant to determine if the equipment can perform as specified.

Mr. Bowman commented that there was a great deal of confusion regarding this project when it went to referendum last November. Property owners were unsure of exactly what the project would cost and what it would entail. Mr. Pelton noted that Mr. Gancarz is heading up a subcommittee to educate property owners regarding the plant upgrade project.

Mr. Bowman expressed concern that there may not be enough information available for voters to make a decision this November. He noted the importance of having all information regarding the project in place well before voting takes place. Mr. Chelton commented that there will not be too much more information regarding costs known when the vendor is selected. It will be a six-month process to select a vendor.

Mr. Pelton explained the history of the project, including vendor selection and design factors to Mr. Bowman as he is new to the Authority. Mr. Pelton stated that the Town will not receive the 30% grant if the project is not ready to begin by June, 2013. Mr. Bowman suggested placing the project out to bid in January of 2013. It was noted that design will not be finalized, as there is not enough money in the project budget to complete design until after the project passes at referendum.

Mr. Perrotti commented that there are more facts known now and more will be known before the referendum. There were many uncertainties regarding the project when it was placed on the referendum last November. Mr. Bowman reiterated the importance of getting information out to property owners and making sure that facts are accurate.

Mr. Bowman expressed concern that design can only reach 80% because of lack of funding. He queried whether the Town Council should be requested to appropriate additional funds to get design to final completion before the referendum. Further discussion will take place regarding these issues.

Mr. Gancarz moved that the Water Pollution Control Authority approve Invoice #37220440 of AECOM for work related to design on the WPCD Plant Upgrade Project in the amount of \$151,655.54. The motion was seconded by Mr. Perrotti and carried unanimously.

Mr. Chelton informed the Authority that the amendment for design services has been revised. This amendment relates to an adjustment in the project budget to reflect the final costs expended for the value engineering which was done on design documents. Mr. Chelton stated that the total cost incurred for value engineering was \$43,980, which is an increase in the allocated amount of \$25,000.

Mr. Chelton further stated that he is aware that there is only \$19,084 remaining in the project design funds and has adjusted this amendment to reflect a cost of those remaining funds. Authority members thanked Mr. Chelton for adjusting the amendment which does not cause the Authority to exceed project funds or request additional funding.

Mr. Gancarz moved that the Water Pollution Control Authority approve Amendment #2 to AECOM's Agreement for Design Services for work related to value engineering for the WPCP Plant Upgrade Design Project in the amount of \$19,084.00. The motion was seconded by Mr. Eberle and carried unanimously.

#### West Johnson Pump Station Design Project

Mr. Chelton noted that his firm was selected to design the West Johnson Avenue Pump Station Project and submitted a fee proposal to the Authority for review. Authority members requested that Mr. Chelton revisit the cost to determine if it could be reduced. Mr. Chelton informed the Authority that since Metcalf & Eddy has merged with AECOM there have been some procedural changes which include using a different model to design projects.

The changes will not affect the product received by the Authority, but a different way of delivering services will be utilized. The plan was to roll out the new model this summer, and Mr. Chelton requested that the date be moved up to utilize the model for the pump station design. He reiterated that the Authority will not see a different product. This is not an issue of quality but of a different approach. With two firms merged, there are more services available for projects such as the pump station. He noted that the lead person on the project will have expertise in more disciplines, which will reduce the number of hands that work on the project.

Mr. Pelton moved that the Water Pollution Control Authority approve Amendment #1 to the Agreement for Design Services of AECOM for design of the West Johnson Avenue Pump Station project in the amount of \$168,000. The motion was seconded by Mr. Eberle and carried unanimously.

#### WPCD Influent Pump Station

Mr. Chelton informed the Authority that the warranty period for this project expires on March 31. He will recommend release of retainage to the contractor at the next meeting.

### **SUPERINTENDENT'S REPORT**

#### Update on Phosphorus Coalition

Mr. Dievert informed the Authority that a subcommittee meeting took place with Messrs. Milone, Dievert, Gancarz and Perrotti present. A discussion took place regarding the DEEP public hearing which was attended by Messrs. Dievert, Pelton and Chelton. Mr.

Chelton spoke at the public hearing and thanked the DEEP for placing Cheshire in a favorable position on the funding list.

Mr. Chelton inquired about such issues as the “interim phosphorous policy”, confirmation of the phosphorous treatment number and whether there was interest in forming a joint venture with Cheshire as a test case to examine the different methodologies of phosphorous mitigation.

Mr. Chelton submitted a letter to Mr. George Hicks requesting re-examination of the priority points assigned to the Cheshire project and stated that some categories may have been under scored.

Discussion took place at the subcommittee meeting regarding the Town’s position in the four-town coalition. After discussion it was the consensus of the subcommittee that it is in the Town’s best interest to regretfully resign as an active participant in the coalition regarding phosphorous reduction. This decision is based upon the fact that Cheshire is at the final design stage of a major plant upgrade and is on the draft list for funding in the amount of \$31.3M. It would not be advisable to take any action which may jeopardize that funding.

The subcommittee noted that it agrees that it is important to seek more scientific evidence of phosphorous reduction, but does not have the luxury of time to do so. Staff may still meet with coalition members to discuss matters of mutual interest. A motion was passed at the subcommittee meeting to step down from the coalition

Mr. Pelton moved that the Water Pollution Control Authority send a letter to the four-town coalition group involving phosphorous mitigation to respectfully resign from the coalition for the reasons cited above. The motion was seconded by Mr. Gancarz and carried unanimously.

### Budget Presentation

Mr. Gancarz made a presentation to the Town Council regarding the Water Pollution Control Authority Budget for the 2012-2013 fiscal year. The Town Council accepted the budget as presented.

Mr. Pelton recognized Mr. Dievert for his excellent handling of the recent small mercury spill which occurred at the treatment plant.

## **NEW BUSINESS**

### Draft NPDES Permit

As previously discussed, the permit is expected to be delivered soon.

## **OLD BUSINESS**

### Riverside/Applewood Project Appraisal

Mr. Michelangelo has informed Mr. Dievert that the project appraisal is 90% complete and should be finalized in two weeks.

### WPCA Education Effort

As previously discussed, Mr. Gancarz is working on this effort to educate the public regarding the treatment plant upgrade project. Discussion took place regarding the public response regarding why 30M should be spent on the treatment plant upgrade and there is no increase in capacity. It was discussed that a few years ago the plant was re-rated to handle 4 mgd, so there is no need to spend another 10M to increase the capacity of the plant.

### Chesprocott Information

Mr. Dievert reported that the Chesprocott report detailing septic system failures and repairs for the month of February does not reveal any issues of concern.

## **APPROVAL OF MINUTES**

Mr. Gancarz moved that the Water Pollution Control Authority approve the minutes of the regular monthly meeting of February 22, 2012, as presented, subject to correction. The motion was seconded by Mr. Perrotti.

Correction: Page 6, second to last paragraph should read, “.....the cost of the *phosphorus* upgrade to the treatment plant.....”

Approval of the minutes, as amended, carried 4-0-1. Mr. Bowman abstained.

## **ADJOURNMENT**

Mr. Gancarz moved that the Water Pollution Control Authority adjourn at 8:45 p.m. The motion was seconded by Mr. Perrotti and carried unanimously.

Respectfully submitted,

Tim Pelton, Chairman  
Water Pollution Control Authority

Attest:

Susan F. Zwick

Distribution:

Members: W.P.C.A.  
Michael Milone, Town Manager  
David Schrumm, Town Council Liaison  
Andrew Lord, Town Attorney  
Donald Chelton/Jon Pearson, AECOM  
Joseph Michelangelo, Ex-Officio Member  
George Noewatne, Operations Manager  
Dennis Dievert, Superintendent [WPCD](#)  
Susan Zwick, Recording Secretary

