

**MINUTES OF THE CHESHIRE WATER POLLUTION CONTROL AUTHORITY
(WPCA) MEETING HELD ON WEDNESDAY, AUGUST 28, 2013 AT 7:30 P.M. IN
COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT
06410**

Present

WPCA Members: Timothy Pelton, Chairman; Matthew Bowman, Steve Carroll (arrived at 7:40pm), Ken Cianci, John Perrotti and Thomas Scannell. Staff: Dennis Dievert, WWTP Superintendent; Walter Gancarz, Town Engineer; Andrew Lord, Town Attorney. Guests: Donald Chelton, AECOM; Chris Hulk, Milone & MacBroom.

WPCA Members Absent: Mark Kasinskas

ROLL CALL

The roll was called and a quorum was determined to be present. The meeting was called to order by Mr. Pelton at 7:30pm. Attendees recited the Pledge of Allegiance.

Mr. Pelton read the emergency evacuation notice.

1. PUBLIC COMMUNICATIONS

None

2. APPLICATIONS

a. HAI Group Facilities Expansion

Mr. Hulk, Civil Engineer from Milone & MacBroom, representing the applicant, presented the Project Application for a building expansion located at 189 Commerce Court. Currently the facility houses the main headquarters for the HAI Group, an insurance company. They want to expand their headquarters, to consolidate their employees in Cheshire into their headquarters. The existing building makes use of an existing force main that runs on Commerce Court, roughly 800 feet from the existing building to the east, and discharges to an existing sanitary manhole to upslope from the building. The building itself is served by a sanitary lateral, also a force main that pumps to the existing force main to Commerce Court. There are several other laterals located on the sanitary line that would be able to serve other properties. A couple of months ago, there was an application to shorten the cul-de-sac, allowing for the development of the proposed building where the existing cul-de-sac is located. We are proposing our building expansion on the northern face of the existing building, with associated parking to the north of the existing building. Currently we are proposing re-routing the existing force main lateral for the existing building around the proposed addition, and also incorporate a new pump chamber that would discharge into the lateral that would be relocated from the existing building. These laterals would both discharge into the existing force main onto Commerce Court. The existing laterals and the section of force main in the area of the proposed building expansion would be removed.

The proposed building addition is roughly 40,000 sq. ft. We are looking to have a design flow of 4,000 gallons per day (gpd) to be permitted. The existing building uses roughly 845 gpd. The requested permitted amount is based on health code requirements, and should be adequate for this facility. The existing building is proposing to have a small kitchen, to be used for small corporate events. For this reason, we are proposing a small grease trap outside on the north side of the building. That grease trap would then be rerouted into the proposed building and internally plumbed to go into the proposed pump chamber for the building expansion. It would be discharged into the rerouted force main lateral.

Mr. Pelton asked about the type of activities in the building. Mr. Hulk responded HAI is an insurance company, specializing in affordable housing insurance. There would be no industrial uses for the building. Mr. Dievert asked if the grease trap would be an AGRU (automatic grease recovery unit), meeting state requirements for grease traps. Mr. Hulk doesn't have the exact flows from the mechanical company yet, but they are assuming it will be roughly 500 gallons and would meet all state codes. Mr. Dievert asked if there was a concern with freezing having the grease trap outside. Mr. Hulk replied it would be below the frost line.

Mr. Gancarz explained this application was originally submitted as a Final Design application and Award of Capacity application. Since they had not seen a preliminary design and had some questions, Mr. Gancarz referred to a letter in the packet dated August 20, 2013, recommending the applications be withdrawn until the information requested in the letter was supplied. Concerns included what the kitchen flows might be, the size of the grease trap, etc. The applicant withdrew those applications and submitted the preliminary application you see today. From a preliminary application, it is in a service area with an existing force main that serves the property. Mr. Gancarz doesn't see an issue with the preliminary application, but certainly all the items he questioned, plus any questions the commission has, would need to be addressed. Mr. Hulk did see the 8/20/13 letter; as more in-depth design occurred, they saw the need for the feasibility application and will get the requested materials before Final Design and Award of Capacity applications are submitted. Mr. Dievert would like to see the AGRU grease trap placed in the building because it needs to be maintained, serviced and cleaned regularly. Mr. Hulk will empathize that to the client. Mr. Pelton asked where the roof leaders are discharging. Mr. Hulk responded that the roof leaders will be discharging to a storm drainage system routing around the building. There is also an open air patio in the middle of the building. There will be several small area drains in there, sleeved through the building, discharging into the existing storm water basin. In response to Mr. Bowman's questions, Mr. Hulk stated the plans were approved by the Wetlands Commission, and included a review of the detention basin and storm water management. They currently have an application in front of Planning and Zoning. Mr. Pelton asked if Mr. Gancarz had any other concerns other than those original items. Mr. Gancarz stated the concerns have been or will be addressed. In response to the questions, Mr. Hulk stated they are currently in the process of revising the plans and putting together a plan and profile to show all the crossings and necessary information. Mr. Perrotti asked for clarification about the 200 additional people – would they be coming from town or

outside of town. Mr. Hulk respond they are coming from other buildings in Cheshire. Seeing no other questions, Mr. Pelton directed Mr. Hunt to address the questions in the 8/20/2013 letter from Mr. Gancarz.

MOTION BY Mr. Perrotti; seconded by Mr. Bowman

MOVED that the WPCA accept the Feasibility Application as presented, with the contingency that the items addressed are agreed upon by the Town Engineer.

Members asked that the motion be amended to include the grease trap be located inside the building. Amended motion approved by Mr. Perrotti, seconded by Mr. Bowman.

MOVED that the WPCA accept the Feasibility Application as presented, with the contingency that the items addressed are agreed upon by the Town Engineer and the grease trap for the kitchen be located inside the building.

VOTE: The motion passed unanimously by those present.

3. PROJECTS

Mr. Gancarz has reviewed both invoices listed below. The second invoice (#37359845) is the fixed fee portion from last month's invoice; the time and materials portion of last month's invoice were approved at the July meeting, but by mistake the Fixed Fee was not approved at that time.

AECOM Invoice #37366392 dated August 6, 2013 in the amount of \$31,410.15

MOTION by Mr. Bowman; seconded by Mr. Scannell

MOVED that the WPCA approve AECOM Invoice #37366392 in the amount of \$31,410.15.

VOTE: The motion passed unanimously by those present.

AECOM July Invoice #37359845 for Fixed Fee in the amount of \$4,570.63

MOTION by Mr. Bowman; seconded by Mr. Scannell

MOVED that the WPCA approve AECOM Invoice #37359845 in the amount of \$4,570.63.

VOTE: The motion passed unanimously by those present.

Other Discussion: Mr. Bowman questioned the timing of the invoices that will be received during the construction phase and asked if those invoices could be submitted on a monthly basis, by a certain date, to provide adequate time for review. Mr. Chelton replied they have moved up their submission date a week early to submit their bills to Mr. Gancarz. Mr. Gancarz replied that he currently receives

the invoices in adequate time to review them, call with any questions and include the invoices in the members' packets. A discussion was held among the members and staff about the potential difficulty for contractors with a fixed cut-off date. There does not seem to be a problem with the current system for invoice review. Mr. Gancarz currently receives the invoices with at least 10 days for review. Mr. Carroll commented that during the construction phase of the project, the members will receive a spread sheet grid with net costs this month, cumulative costs to date, for all individual tasks. Mr. Perrotti asked if a percentage base for cost (percentage of money consumed to the project) could be included on this grid. Mr. Chelton stated there is a schedule of values for the project. Mr. Pelton said Mr. Gancarz agreed to be the gate keeper for the project. The Town Engineer and the Construction Consultant currently have a 10 day time arrangement for submitting and reviewing bills. If that timing becomes problematic later, it can be adjusted as needed.

a. WPCD Plant Upgrade Bid Discussion Award

Mr. Chelton, Vice President of AECOM Water, Inc., reported that on August 14, 2013, the Town received four bids for the upgrade of the treatment plant. The bids ranged in cost from \$27,968,633.00 to \$32,972,031.00. The members should have received a letter from AECOM dated 8/21/2013 with a canvas of the bids. The low bid was from Carlin Contracting Inc. from Waterford CT. AECOM is familiar with this firm; Mr. Chelton has personally worked with Carlin Contracting Inc. AECOM has checked with their bonding company that they have the financial capabilities for the project. AECOM also checked with their references and received good reports. Mr. Perrotti stated that he also received good feedback from his firm on Carlin's performance. Based on the submittal of their bid and the evaluation performed by AECOM, Mr. Chelton's firm recommends the Town award the upgrade of the water treatment plant to Carlin Contracting Inc. subject to the approval of DEEP. Because there is a second step that must happen in the process (receiving the approval from DEEP), Mr. Chelton explained the process – tonight the WPCA should vote your intent to award the contract to Carlin Contracting Inc. At that point, a letter should be sent to DEEP requesting authorization to award the contract. When DEEP sends back their agreement with the WPCA's recommendation, the Town can approve the contract. AECOM has attached a couple of letters for the Town's use, including a sample letter to DEEP and also a letter to Carlin Contracting notifying them of the Town's intent to award them the contract subject to the approval by DEEP.

Mr. Perrotti felt the range of the pricing was higher than they had anticipated, and asked Mr. Chelton if he had any feedback on that or other municipalities' experiences. Mr. Chelton responded that bids range all over the place, based on the way a contractor evaluates a job and their plan of action, resulting in the range of bids. Mr. Bowman listened to the tapes of the previous meetings, and thought Mr. Chelton said he expected the bids to come in lower than \$30-32million. Mr. Chelton thought he might have been referring to the total cost of the project. Several members thought the bid came in where it should be.

MOTION by Mr. Perrotti; seconded by Mr. Bowman

MOVED to authorizing the Chair to send a letter to DEEP asking for authorization to award the contract to Carlin Contracting Inc. Based on notification from the DEEP, then the Chair would send a letter to Carlin Contracting Inc. notifying them of the award.

During discussion, Mr. Chelton recommended changing the motion to reflect sending a letter to Carlin Contracting Inc. notifying them of the Town's intent to award them the contract subject to approval from DEEP.

MOTION TO RESCIND THE PREVIOUS MOTION made by Mr. Perrotti; seconded by Mr. Bowman. Motion is rescinded.

MOTION by Mr. Perrotti; seconded by Mr. Bowman

MOVED to authorize the Chair to send a letter to DEEP asking them to authorize the Town to award the contract to Carlin Contracting Inc., and to authorize the Chair to send a letter to Carlin Contracting Inc. notifying them of the Town's intent to award them the contract subject to approval from DEEP.

Discussion: Mr. Pelton added the Contract No. 1213-06 for \$27,968,633.00 to the motion. Mr. Bowman asked if we were subtracting some of the operating costs from the total bid cost. Mr. Gancarz explained that the contract would be for the total bid amount; the question of operating costs will be in his discussion of where the money will be coming from, to be discussed later.

MOVED to authorize the Chair to send a letter to DEEP asking them to authorize the Town to award the contract to Carlin Contracting Inc., and to authorize the Chair to send a letter to Carlin Contracting Inc. notifying them of the Town's intent to award them Contract No. 1213-06 for \$27,968,633.00 subject to approval from DEEP.

VOTE: The motion passed unanimously by those present.

Mr. Gancarz discussed a memo he sent to Mr. Pelton dated August 21, 2013, included in each member's packet. The first page includes a summary of the Construction Contract (to be entered into with Carlin) for \$27,968,633; the Construction Administration contract (already entered into with AECOM) for \$2,882,389; the Design Extras (\$353,273.51) that were paid to AECOM out of the referendum amount. The subtotal amount is \$31,204,295.51. The Referendum amount was \$32,150,000.00, leaving us with a Contingency amount of \$945,704.49 (on second page of the Memo). On a project of this size, AECOM recommends a Contingency amount of \$1,500,000 (a contingency of 5-7%). If we were to use the entire Contingency, we would have a Contingency Shortfall of (\$554,295.51). To proactively plan in case this should happen, there are a couple of difference avenues that could provide potential revenue. There is the \$1.4 million in dispute with the prison. The WPCD Reserve Account currently has a balance of about

\$560,000. On an annual basis out of our Operating Budgets, there is a \$600,000 transfer to the Town for general administration. Also, some of the items (about \$312,000) are items that could be classified as Operations items (fuel oil for new tanks, spare parts, chemicals and polymers, spare tools, etc.), and paid for out of the Operations budget. If needed, the Allowance for the Belt Filter Press Upgrade (\$456K), one of the last things to get done, could be held back to the end. Mr. Gancarz recommends we go forward with this method if needed. We do have almost a \$1,000,000 Contingency to start with.

Mr. Bowman stated that AECOM (or their previous company) has done all design of the plant since the date of its inception. He cannot see the need for more than a \$1 million contingency, since AECOM knows exactly what we need and actually what we have; they know the plant inside and out. Mr. Bowman also noted on Mr. Gancarz' 8/21/2013 memo, under page 2 Recommendations, the contract with Carlin is listed as \$28,968,633; that amount should read \$27,969,633.

Mr. Chelton does not want to start this project with false expectations; there will be change orders on this project – changed conditions; owner requested changes; inconsistencies; discrepancies in the documents; conflicts, etc. Our plans are not perfect; there is no expectation in the industry for plans to be perfect. Generally you want to budget in the 5% range for those change orders. Their drawings are not perfect, but they are well within the standards of the industry. Mr. Pelton stated that in speaking with the Town Engineer and the Construction Consultant, a 5% contingency in the industry is standard. He charges them with the responsibility, rather than just trying to make the money fit, of how can we get to a contingency of \$1.5M, if it was needed. Mr. Pelton would rather identify those items that could be covered by operational budget, items that come later in the project (planning the strategy) rather than modifying it two years down the road. Based on the professionals, a 5-10% contingency amount is correct. Mr. Gancarz shared there will be things that cannot be forecasted, the unexpected no matter how well you plan (i.e. if an underground tank had a leak, etc.). Mr. Pelton reminded us that we are a utility, operating 365 days a year, 24/7; we need to identify these items now as prudent business practice. This list of items, put in as a contingency, are items that we may or may not need to activate downstream.

Mr. Bowman relayed Mr. Schrumm's request that if additional funds were needed, he receive those numbers prior to the capital budget discussions and hearing. Mr. Pelton replied that Mr. Gancarz has spoken to both Mr. Schrumm and Mr. Milone about this project. Mr. Dievert also reminded the WPCA that we can also receive credits during the construction project. Mr. Pelton reminded the members of the multiple pressure release points - where more funds may come in; we've identified items that could be pushed back in the project; different possible scenarios where we could get those additional funds if needed.

Mr. Chelton will send this documentation to DEEP. After approval from DEEP, the next step to notify the contractor that DEEP has approved the contract and they have been formally awarded the contract so they can get their bonds and insurance. After Carlin Construction receives their bonds and insurance, no additional votes

need to be taken by WPCA. The documents will be presented to the Town. The documents will need to be signed by Mr. Pelton and Town Manager Michael Milone. Mr. Chelton suggested the WPCA might want to give some thought to a groundbreaking ceremony, possibly in early October.

4. SUPERINTENDENT'S REPORT

a. Cook Hill Pump Station

Mr. Dievert said that authorities are aware of the problem that station had a few months ago. He has spoken with Mr. Gancarz - they think it's important to replace the rails at that station. This is not a complete upgrade of the pump station but just repair of the rails that carry the pumps up and down to the wet well. They would like to get price quotes to replace it; the cost may be able to come out of the maintenance budget. Mr. Gancarz stated they have the design plans for that pump station, but the earliest it could go to Referendum would be a year away. He explained the process – pumps that weigh 500-600 pounds are down in a wet pit 20 feet down. They slide up and down these rails (with a hoist and a chain). Currently one has no rails and the other has rails that are half good. This has to be done 4-5 times a year. This action is recommended from a safety and operational standpoint. Mr. Pelton stated the member consensus is to get some quotes and see the order of magnitude to replace those rails.

b. Discussion on Construction Start Date

Mr. Dievert stated a conference call was held today with Mr. Pelton, Mr. Gancarz, Mr. Dievert, Mr. Chelton and Mr. John Pearson regarding this matter. Mr. Chelton referenced a memo, dated today (8/28/2013) he distributed to the members, regarding the Carlin Contracting schedule. Carlin has asked that we consider a revision to the specification requirements regarding the time frame for the upgrade of the final settling tanks. The rehabilitation work on the two existing 80 foot diameter final settling tanks consists of replacement of the rotating collector mechanisms and weir and scum baffle replacements. The specifications currently limit work on the final settling tanks to the dry flow period of the year which is defined as July 1 – September 1. Carlin can't do both clarifiers in that period of time; each clarifier takes approximately 8-9 weeks to upgrade. Their plan is to do one tank in 2014 and one in 2015; the problem is their overall schedule. Their original goal was to complete this project in 18-20 months. If they have to wait to do the second clarifier until July 2015, they would incur field overhead costs during the spring of 2015 when there is no other construction occurring with the current schedule. These additional field costs were not in his bid price. Carlin has proposed a couple of options: 1) Carlin would delay starting physical construction on the treatment plant until March 2014, and run continuous until the 25 month completion date. 2) Give them a larger window of time so they can complete both clarifiers done in 2014, and start the construction job right away. Carlin asked if the allowable period for work on the final settling tanks could be extended from June 15th through November 1st. Today's conference call discussion addressed whether the second request could be granted. The project team discussed a number of contingency actions that could be built into the plan, detailed on page 3

of the memo, including: 1) Carlin must have all parts and materials on-site before they start a tank. 2) They take no more than one of the aeration tanks off-line at a time. 3) Once the first final settling tank is completed, a two week period be allowed to run the new tank to confirm satisfactory operation. 4) Since the effluent from Final Settling Tank #1 is conveyed through the Effluent Chamber of Tank #2, Carlin will need to make provisions to prevent inadvertent discharge into Final Settling Tank #2 during high flows. 5) If a major storm is predicted, Carlin can remove their equipment and materials out of the tank in 4 hours. That tank would then be available for flow service (not for treatment service), eliminating the hydraulic restriction when operating with only one tank. 6) Develop a written plan detailing how this would all work, and which is agreed to by all parties.

Mr. Chelton reviewed the Historical Flow Table on page 2 of the memo. This table looks at the different flow events during June – October period in years 2010, 2011, 2012, and 2013, including Highest Instantaneous Flow and the Highest Average Flow for the Day. They also reviewed at the hydraulic capacity of the plant itself and what they can run through the plant with only just one clarifier running. The analysis indicates they can run 8 million gpd with just one tank on-line. You can run higher than that (possibly 9-10 million gpd) but the treatment process would suffer.

All things being considered, Mr. Chelton felt this was a reasonable request and has merit. Construction would be started right away. The project would be done faster. It could result in less cost to the Town. Mr. Dievert and Mr. Gancarz wanted to bring this proposal to the WPCA. Mr. Gancarz stated that Mr. Dievert has been extremely cooperative in this proposal and come up with additional recommendations for the contingency. Mr. Dievert has a third clarifier that hasn't been used in 20 years and is about half the size. If that third clarifier is tuned up and tested, it could provide additional capacity. It would not be used unless necessary. Mr. Dievert feels this can be accomplished with the contingency plan, riding out any storm we have; Mr. Gancarz stated the goal to remain in compliance through the process. Mr. Perrotti likes the idea; there is some risk, but with a written contingency plan which lists all the parties involved and their responsibilities. Mr. Lord would like the plan to specify who is executing each part of the contingency plan when and if it does have to happen. Mr. Pelton senses a consensus to move forward with the plan and discussed who would be the author of this plan. Mr. Gancarz sees the plan as a collaborative effort; Carlin would need to be a party to the plan. This plan would be in place at the start of the outset. Mr. Pelton asked if it was reasonable to expect the contingency plan to be developed and reviewed by the parties before the next meeting. The attendees felt that could occur. Mr. Pelton will keep this as an open agenda item for the September meeting. Mr. Chelton reported that Carlin has seen the August 28th memo and supported the idea. Mr. Chelton also reminded the members that a change order to the contract document is needed to change the period of time.

5. TOWN ENGINEER'S REPORT

a. Water Consumption Billing

With everything on tonight's agenda, Mr. Gancarz recommended postponing this agenda item to next month.

b. Sump Pump Mapping

Mr. Gancarz reported as part of the re-assessment process, a question about sump pumps was added to the questionnaire completed by town residents. They are receiving many responses from people with sump pumps in their homes; approximately 1065 have been reported so far. Under the GIS (Geographic Information System), sump pump locations were added to their surficial geology map. Mr. Gancarz reviewed the pockets of sump pumps in town. This graphic map provides additional information as they are trying to reduce flows. Mr. Gancarz also reviewed a page from the Stormwater Management Plan, which color codes the general types of soils in town. Mr. Gancarz continues to provide analytical information to the members.

c. Update on the North End Development

The developers are coming in next Tuesday to discuss further options they have discussed to sewer that property. Mr. Gancarz and Mr. Dievert will meet with them.

6. NEW BUSINESS

a. Clarification of Policy on septic system repair when sanitary sewers are available

Mr. Gancarz referred members to the Town's Sanitary Sewer Regulations – 2.0 Use of Public Sewers (included in packet). Twice in the past month, the Town has received a call from the Chesprocott Health District (CHD). In both cases, someone had a cracked septic tank (sewers were available). CHD was looking for guidance on the terminology included in Regulation 2.2, which states that "it shall be unlawful for any person to construct or make repairs to any ...septic tank... if public sewers are available." The next line reads "Minor repairs ...which are approved by the Director of Health shall be excluded from the Regulations." Mr. Gancarz wanted to run this issue by the WPCA. He feels for repairs items like this (not major repairs or non-complying repairs), they should review this on a case by case basis. Mr. Pelton provided some historic background on this issue explaining why this regulation and dated language was instituted as they needed flow. Having addressed that issue, Mr. Pelton feels we can look at Regulation 2.2 with some flexibility; within reason, common sense prevails. CHD regulations obviously apply. We will work with CHD on a case by case basis.

7. NEW BUSINESS

a. Review and discussion on Feasibility, Final Design, and Award of Capacity motion formats

Mr. Pelton asked Mr. Lord to look at the Feasibility, Final Design and Award of Capacity motion formats from a legal aspect. Mr. Lord stated they are fairly

comprehensive motions to start with and are more than adequate for our needs. Mr. Pelton will bring the proposed motions to the September meeting for a vote.

b. Discussion of raising WPCA application fee

As part of those same discussions, Mr. Pelton and Mr. Gancarz would research whether the WPCA should raise its fees. Mr. Gancarz researched neighboring towns and found that most rates for fees were low or free. Since we do not appear out of alignment with our peers, we will leave the fee as is.

c. Review and discussion of AECOM invoices

Discussed under Project update.

d. Septic System Summary from Chesprocott dated August 1, 2013

The members reviewed the report from Chesprocott Health District (CHD). CHD is waiting on 600 Country Club Road installer design to see if it meets code.

e. Approval of Minutes – Regular Meeting held July 24, 2013

MOTION by Mr. Bowman; seconded by Mr. Carroll.

MOVED to accept and approve the minutes of the meeting of July 24, 2013 subject to corrections, additions, deletions.

VOTE The motion passed 2-0; Mr. Pelton, Mr. Perrotti, Mr. Scannell and Mr. Cianci abstained.

ADJOURNMENT

MOTION by Mr. Bowman; seconded by Mr. Scannell.

MOVED to adjourn the meeting at 9:03p p.m.

VOTE: The motion passed unanimously by those present.

Attest:

Kathy A. Kirby, Recording Clerk