

MINUTES OF THE CHESHIRE WATER POLLUTION CONTROL AUTHORITY (WPCA) MEETING HELD ON WEDNESDAY, DECEMBER 18, 2013, AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410.

Present

Timothy Pelton, Chairman; Matthew Bowman, Steve Carroll, Ken Cianci, Mark Kasinskas, John Perrotti, Thomas Scannell.

Staff: Dennis Dievert, WWTP Superintendent; Walter Gancarz, Town Engineer

Guest: Donald Chelton, AECOM. Town Council Liaison David Schrumm

ROLL CALL

The roll was called and a quorum was determined to be present.

The group Pledged Allegiance to the Flag.

Chairman Pelton read the emergency evacuation notice.

1. PUBLIC COMMUNICATIONS - None

2. APPLICATIONS - None

**3. PROJECTS
None**

a. Application #1 from Carlin Contracting dated 12/2/13 in the amount of \$477,901.30.

Mr. Chelton informed the Authority that this is the first contractor's request for payment in the amount of \$477,901.30. AECOM reviewed the activity; they are not up to full speed; they are continuing with the excavation and preparing for construction of the UV facility. Some demo work is being done focusing on the digester building, and the contractor is getting ready to put in the excavation support system. One hundred shop drawings have been received to date, and they come in batches. There may be a shut down over the holidays. A progress meeting was held today.

Mr. Gancarz reported that they are not planning on a shut down, and it will only be for a few days. He has reviewed the invoice; has no exceptions; and it includes insurance costs, bond costs, mobilization costs, and he recommends approval of payment. He has asked AECOM and Carlin what the cash draw might be, as this will give the Town a handle on how costs will be incurred over the next two years. Copies of the information were distributed to Authority members.

MOTION by Mr. Scannell; seconded by Mr. Cianci.

MOVED that the WPCA approve the payment of \$477,901.30 to Carlin Contracting.

Discussion

Mr. Bowman noted that the certification for payment is Document E702, which gives information on what the WPCA is approving.

Mr. Carroll stated we have a contract and asked about protection of overages over the life of this contract. Under "general conditions" it states \$1 million, and he asked what happens if it goes to \$1.1 million.

In response, Mr. Chelton said the contract is a lump sum bid; there are some unit prices in the bid representing small dollars; and when a contractor submits a lump sum bid, in order for monthly progress payments, they submit a schedule of values, take the lump sum bid and break it down into various components. All the pages submitted are the components. "General Conditions" is 25 months of \$1 million, and this is a fixed value. It only changes if the contract gets extended beyond the time with submission of change orders, and WPCA sees these. There are some unit price items, allowance items, such as \$50,000 carried by AECOM for removal of asbestos and lead. If it comes in at \$5,000 there is \$45,000 credit back; and if it is \$60,000 there would be a change order.

With regard to asbestos and lead, Mr. Bowman said that AECOM has been in charge of the plant since day one, and should know if there is asbestos on the job and where it is located. It had to be specified at one time or another. Mr. Bowman knows this is not a schedule of values, but is as close as WPCA will get in a generic. The change order numbers will have to be watched.

Stating his disagreement with Mr. Bowman's comments about AECOM knowing there was asbestos or lead and its location, Mr. Chelton said that this plant has been around for 40+ years without involvement by AECOM.

Mr. Bowman amended the motion to include the wording "Application #1"; the maker and seconder approved. The motion was amended to read as follows:

MOVED that the WPCA approve the payment of Application #1, in the amount of \$477,901.30 to Carlin Contracting.

VOTE The amended motion passed unanimously by those present.

b. PCB Mitigation

Mr. Chelton informed the Authority members on the PCB mitigation issues. There are specifications and allowance for asbestos and lead removal. At a pre-bid conference Carlin Contracting brought to the Town's attention their issues with a recent project where window caulking had PBC. The time frame for this caulking was 1960-1980, and the PCBs had to be disposed of in a protective way, as disposal in a non-protective way would make Carlin liable. Carlin tested the treatment plant windows and caulking (+50 of them) and it was discovered that the caulking has PCBs of a significant level. The EPA threshold is 50 parts per million; the State's level is 1 part per million. The results for the plant windows varied from 75 parts per million to 130 parts per million. Now that

this has been identified, EPA requires PCB removal. The PCBs can migrate into the brick and block walls; additional testing was required to determine whether there was migration, and how far it has migrated into the structures.

A meeting was held with Collins Laboratory Hygenics which is doing the investigation for Carlin. A protocol has been established for the next run of testing; all soils around windows and doors must be tested as caulking has peeled off into the soils. Everything is still in the investigatory stage; it is uncertain the extent of the issues; and next month Mr. Chelton will have more information for the Authority. Another area of discussion is the paint, and when this is tested it should be apparent whether there are issues.

Mr. Gancarz stated that some of the PCBs were above 130, and some are in the hundreds of thousands per million. There are options – removal or encapsulation. When the full scope is determined there can be cuts 6 inches to 8 inches around the windows. The next stage of sampling will be for these areas, 3 inches away from the window taking samples, and once this data is available, the next step is how to handle it.

AECOM had an expert, Malcom Beacon, come to the site to investigate, and he works with EPA staff. This matter must go through the regulatory approval document.

Regarding the windows themselves, Mr. Chelton does not believe they are contaminated. The brick is porous and the PCB works its way into the blocks.

According to Mr. Gancarz the age of the existing windows could be anything from 1980 forward, and these windows could be exempt. The manufacturing of the older windows stopped in 1972, and the deadline was 1978.

Mr. Chelton reported that testing for lead and asbestos is done; there are areas which cannot be gotten to until the contractor does demolition; and this what the \$50,000 allowances if for. Results will be available for the next meeting.

From what has been seen so far, Mr. Gancarz said the asbestos and lead will not be a significant issue under the \$50,000. The PCBs can be a significant wild card into the six digits.

It was stated by Mr. Chelton that the contractual relationship is through Carlin, and results come to Carlin and then to AECOM. The AECOM expert works with Carlin, results are reviewed and the program is set up based on the results. The numbers in the test results do vary from one location to another; it could be different caulking; but the numbers are over the threshold limits.

Mr. Kasinskas asked if there is an estimate on how many areas that have not been accessed that propose possible risk.

The standard testing for lead and asbestos was done, and Mr. Chelton said the windows and doors can be accessed, and fascia on the buildings (that has caulking) have been tested positive. The chimney with sealing will be tested in the next round; and for the most part there can be access to these areas to check for asbestos. Some parts of the building do not have access until some demolition is done, and lead and asbestos is suspected to be in these areas.

Mr. Perrotti asked if anything was done in the last upgrade and process used to mitigate these hazards.

In response, Mr. Gancarz clarified the question. Since encapsulation of asbestos, containing and treating it, was there anything in the last upgrade, such as a tile floor, that was covered over.

It was noted by Mr. Chelton that this work was done over 20 years ago, and he is not sure about treatment in the last upgrade.

c. Invoice #37399681 from AECOM dated 12/6/13 in the amount of \$62,769.53

MOTION by Mr. Carroll; seconded by Mr. Scannell.

MOVED to approve invoice #37399681 from AECOM dated 12/6/13 in the amount of \$62,769.83.

Discussion

Mr. Gancarz has reviewed this invoice and has no exceptions. He recommended the invoice for approval.

VOTE The motion passed unanimously by those present.

d. AECOM Amendment #7 to Agreement for Design Services

Mr. Chelton stated this is formalization of the Authority's vote to approve a payment of \$20,750 for Amendment #7. Copies were submitted to Authority members.

Last month there was discussion on this Amendment #7, and Mr. Gancarz commented on the negotiation of payment to \$20,750.

Mr. Carroll stated this is a compromise number agreed to by the Authority members.

Chairman Pelton stated this is a mutually arrived at number for payment.

MOTION by Mr. Scannell; seconded by Mr. Carroll.

MOVED that the WPCA approve payment of AECOM Amendment #7 for Design Services dated 12/10/13, for the negotiated amount of \$20,750.

VOTE The motion passed unanimously by those present.

4. SUPERINTENDENT'S REPORT

a. Status of Primary and Secondary Digester emptying

Supt. Dievert reported to the Authority, stating that the levels for the primary and secondary digesters are 108 to 109, and the crews worked hard for 5 weeks. They were able to bring the secondary digester down to 2 feet close to that calibration; the primary digester was about 4 to 5 feet short. There will be an extra cost added to remove sludge from the digester, and the number is suggestive. One of the problems with the primary digester was lots of non-biogradable debris clogging up the grinders and pumps. The secondary digester got down to an elevation where it would no longer support the feeding pump.

There was a meeting today, and the exact cost is unknown, but is estimated at \$100,000 to \$130,000 above the cost estimate for disposal of the digester. This is a negotiated price because of how the contractor will remove the rest of the sludge. The money will come out of the contingency. This problem is due to the last 20 years and not having screening.

The Authority was told by Mr. Gancarz that the crew worked hard, but it gets to the point where this stuff cannot be dumped anymore, as it could ruin the equipment. They got it down to the lowest common denominator, but it was more than envisioned, and the \$130,000 is the current rate quoted. This is a significant hit. We have an enclosed capsule with 20 years of material in it.

In looking at the budget, Chairman Pelton said we looking at a \$250,000 hit within one month with PCBs and digester removal. This is not a good way to start a \$32 million project. He recognizes and appreciates the start up costs and unseen things.

Mr. Gancarz commented on acting on this project, and the spreadsheet showed \$95,000 in contingency. The design extra was \$20,750; the additional sludge could be about \$130,000; PCB evaluation and removal number is a guess at this point, but could be a six figure number. This is something to be concerned about.

At the progress meeting, Mr. Gancarz told the group there is a certain amount of extra. Once it gets past that the money must come out of the operating budget or if the project goes over \$32 million, it must go back to referendum. This must be watched closely. The positives on our side that biggest things happen in the beginning, and with a lump sum bid most of the items cannot change that much. We had a hit list of items taken out of the contract. We are holding \$450,000 until the end; there will have to be a decision on this if contingency does not cover additional costs; and we may not get everything on the wish list. Everyone is aware of these things, and issues are critical.

Mr. Bowman asked about keeping the Town Manager and Councilor Schrumm apprised of everything that is taking place. He noted that in one month the project is 25% into the contingency.

A question was raised by Mr. Perrotti about remedial money possibly coming from the State.

Mr. Gancarz does not believe there is remedial funding coming from the State. There are grants for which the project may be eligible.

Mr. Kasinskas said it may be too early to have any pass through on some numbers of this project, and cost savings may have been missed.

According to Chairman Pelton, one of the variables he was trying to quantify is the time line of the project. We had envisioned a 25 month project, and Carlin is looking at a 20 month project. But quantifying the project cannot be done at this time.

Mr. Chelton noted that the contractor's costs are fixed, but the AECOM fee may change.

The Authority was informed by Mr. Gancarz that DEEP Commissioner Esty attended the EDC meeting, and was asked about the phosphorous grant. Commissioner Esty did not have an answer, but will have someone contact Mr. Gancarz and let him know the status. The grant decision is imminent.

At DEEP, Mr. Chelton said they are holding off on the grant/loan agreement.

Mr. Gancarz said the unknown is whether the phosphorous percentage is 30% or 50%. Between the \$2 million design money and payments approved tonight, there is about \$2.5 million to send in for reimbursement.

5. TOWN ENGINEER'S REPORT

a. Update on North End Development.

Mr. Gancarz reported that the final plans are into Planning and Zoning. The only requirement is the project receiving preliminary WPCA approval, and this was received a few years back. There are plans for a sanitary sewer system on site and then it ends. It is unknown whether it is gravity or a pump station. He spoke with Mr. Overton from Milone and MacBroom, who informed him that there are negotiations ongoing with Bozzuto's for an easement for gravity alternative, crossing under I-691, across DOT property and Bozzuto's, and end up almost opposite the West Johnson Pump Station. This is the preferred alternative. Another option is to put in a pump station, pump it, and come out at the junction of West Johnson and Route 10. Everything is still being looked at for what will happen.

The issue of the Town getting involved in eminent domain was raised by Mr. Bowman. He said it makes sense to have a gravity system, especially if it benefits the Town. Mr. Bowman asked if WPCA can help in this regard.

This question has not been asked of anyone, and Mr. Gancarz said he would be surprised if the Town takes that position.

If the gravity situation, rather than a pump station, is best for the Town, Mr. Bowman said it should be looked into. Also, if Bozzuto plays hard ball, the Town can take an easement by eminent domain.

This came up a few years ago and Mr. Chelton said it became a very questionable legal issue, and he does not think it went forward.

Mr. Gancarz will check into this, and said the best thing is to let the private parties work this out.

When the discussion came up a few years ago before WPCA, Mr. Chelton reported that if a pump station was the ultimate alternative, it should be located and designed in such a way to accommodate the north end of Town and the development. This should be considered by the Town.

b. Status Cook Hill Pump Station new pump installation

There is a one page summary in the packets, and Mr. Gancarz said it must be approved and go forward.

\$150,000 was received from Elim Park; about \$5,000 has been spent for the new slides; and the next item to be done is re placement of two new 20hp cutter pumps. The work would be done by Town staff and a sub-contractor, at an estimated cost of \$35,000. Getting this work done is recommended by staff. Some mercury controls have been found to be out of service, but the panel is still there, and should be removed. The total cost of the work would be \$40,000, leaving \$105,000 left in the gift. Mr. Gancarz asked for Authority approval to move this forward.

Regarding the Elim Park gift, Mr. Bowman asked if it has an effect on other gifts from Elim Park to the Town Fire and Police Departments. He also asked about WPCA having the ability to say that a percentage of the cost and expenses involved is the responsibility of Elim Park.

Mr. Gancarz stated that the Town never went after users for other pump stations with assessment of fees. He commented on the graciousness of Elim Park to donate this money, on their own, for the pump station work. The total upgrade of the pump station is \$700,000. We can continue to work on the most important things, and the next step could be a quantum leap, and the work being done takes care of the initial problems.

Mr. Perrotti commented on the great job done by Supt. Dievert and his crew. He recommended getting the environmental risks out with the mercury.

MOTION by Mr. Perrotti; seconded by Mr. Bowman.

MOVED that the WPCA approve going forward with the upgrades to the Cook Hill Pump Station in the amount of \$40,000 per the estimate of the Town Engineer.

Discussion

Regarding Elim Park, Mr. Bowman said the facility does add to the problems with usage.

The Authority was told by Supt. Dievert that the life of a pump is about 20 years.

VOTE The motion passed unanimously by those present.

c. Draft outline for the sump pump redirection campaign

Mr. Gancarz and Chairman Pelton drafted the document, and reviewed the draft outline with the Authority members.

Chairman Pelton commented on building a protocol to take into consideration the objective of getting pump stations off the sanitary system. He said people may not know they have sump pumps, and there is a need to educate and inform the public. Public Works will do inspections, and remediation work is a question to be decided. The campaign is a more formal manner for the sump pump situation, and is on the table for WPCA to consider its implementation.

The Authority members were asked to look at the draft document and provide comments. In the draft outline the goal was to quantify everything; some of the information is based on information already seen on high flow; and people need to be educated on the situation. With the upgrade, the observation for periods of high flow cost should be about \$8 for every gallon built in, but the cost is higher than that. The campaign will help control and eliminate flows into the plant; make it easier to operate in times of high flow; and costs of operating the plan are out of the plant budget. The goal is to reduce the costs by 15%, eliminating \$100,000 of the costs. This will have to be a cooperative effort. There could be an amnesty program. The real key is under #3f, and the Town should not be in the plumbing business.

The WPCA should review the information and come up with a plan.

Mr. Bowman commented on this being an excellent plan which could have a huge impact. The home inspections will result in information on a deed, and the Town will have the ability to reduce the numbers.

Chairman Pelton advised that the draft document will be reviewed at the January meeting. He asked Authority members to make changes and work towards the goal of the plan to fix the problems.

d. Discussion of I/I Program

Mr. Gancarz reviewed the data sources on Infiltration/Inflow, commenting on the historical data and reports, technical memos, monitoring of flow in 2013 and proposed monitoring in 2014, Assessors 2013 information, mapping, cross reference and proposed actions. There are many pieces of information and the question is pulling them all together and having a plan. The information is the road map for 2014. He commented on the flow monitoring done in April 2013 for Lilac Subarea, Elmwood Subarea (630 homes, 27 sump pumps), technical memo data showing inflow of 4.3mgd, peak infiltration of 1.9 mgd. There was an effort to redirect the 27 sump pumps, with an estimated cost of \$11,500 to connect to storm sewers. The north end of Town is not problematic. There was an interceptor inspection which looked at the main interceptors, about 57,000 LF, 187 manholes, and 35 buried manholes.

The technical Memo #5 data showed peak infiltration of 1.65 mgd, and inflow of 7.7 mgd. The 2014 monitoring will be done in March which is more of a wet month than April, with refinement of problematic sub areas, and installation of ground water monitor wells. There is good information from the reassessment program; 1,040 houses were identified with sump pumps; it is not known if they are connected to the system; and 480 houses had damp basements.

There are 10 proposed actions for 2014, and they are identified in the information. Mr. Gancarz highlighted some of the actions which include -- determining which houses with sump pumps have not been inspected and are in sewer service areas; adoption of the sump pump program; conduct flow monitoring in March 2014; monitor I/I at CCI; check and inspect interceptor near CCI.

Mr. Gancarz reported on the interceptor (near Honey Pot Brook) which is overgrown and should be cleared in the winter. An agreement would be needed on how to proceed. He stated that there is an I/I study being done at CCI, with the report due out in January 2014. There have been meetings with CCI, Mr. Milone, Mr. Gancarz and Supt. Dievert on the I/I issues. 25% of the current flows are from CCI. The inflow is a bigger problem both in quantity and with large flow peaks there are operational problems.

Chairman Pelton said items "c and d" cite the need to develop a protocol to identify and redirect sump pumps. Mr. Gancarz has done an excellent job with identification of target areas, getting the best return on investment, and control of I/I.

Mr. Bowman stated that someone should look into the \$11,700 per house for a sump pump.

This has been looked at and Mr. Gancarz said that it is related to being connected to the storm drain, or whether people had the flow out to a lawn area.

According to Mr. Chelton, it does more than that. The concept was everyone being connected to a storm drain within the pilot area, but there are many streets without storm drains. The storm drains had to be constructed and the houses connected, and that is where the cost comes in.

6. NEW BUSINESS

a. Authority members terms ending

The terms of John Perrotti and Mark Kasinskas are expiring, and both have stated they would like to continue to serve on the WPCA. Contact must be made with Louis Nero to inform him of their desire to remain on the WPCA.

b. 2014 meeting dates

The calendar year 2014 meeting dates were reviewed and discussed by the Authority members. The meeting date of November 26, 2014 was changed to November 19, 2014; and the meeting date for December 24, 2014 was changed to December 17, 2014.

MOTION by Mr. Pelton; seconded by Mr. Scannell.

MOVED that the WPCA approve the meeting dates for calendar year 2014 as amended. The meeting dates are January 22; February 26; March 26; April 23; May 28; June 25; July 23; August 27; September 24; October 22; November 19; December 17.

VOTE The motion passed unanimously by those present.

7. OLD BUSINESS

a. Letter from Chesprocott dated December 5, 2013

The letter from Chesprocott dated December 5, 2013 was introduced for the record.

b. Approval of Minutes – Public Hearing and Regular Meeting of November 20, 2013

MOTION by Mr. Pelton; seconded by Mr. Scannell.

MOVED that the minutes of the Public Hearing and Regular Meeting of November 20, 2013 be approved subject to corrections, additions, deletions.

Correction: Chairman Pelton noted that on page 2, the minutes state a copy of the entire motion was attached; WPCA members did not receive a copy of this motion with the minutes in their packets. On page 7, item c, should read... "contractors invoices" will be coming in...

Ms. Milton, Clerk for the meeting, said she would inform staff to make sure minutes have attachments when sent to WPCA members.

VOTE The motion passed 6-1; Bowman abstained.

8. ADJOURNMENT

MOTION by Mr. Perrotti; seconded by Mr. Scannell.

MOVED to adjourn the meeting at 8:45 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk