

**MINUTES OF THE CHESHIRE WATER POLLUTION CONTROL AUTHORITY  
(WPCA) MEETING HELD ON WEDNESDAY, OCTOBER 22, 2014 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, John Perrotti,  
Absent: Mark Kasinskas and Tom Scannell.

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

Guest: David Schrumm, Town Council and Don Chelton, AECOM

**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.

**PUBLIC HEARING – PROPOSED SEWER USE FEE FOR 2015**

Chairman Pelton read the notice of public hearing.

Mr. Gancarz presented an overview of the proposed sewer use fee of \$380 per year as recommended by Town Manager Milone in his memo and attachments of October 9, 2014. On page 2, the expected sewer use fees expected for collection in 2015 are \$3,304,228. Page 3 shows the water usage for CCI based on the period December 2013 through November 2014, and comparison of the invoice from the prior year along with 10 month water usage to date, CCI is about 10% less than last year. Page 4 reflects the projected revenue with a \$380 sewer use fee (residential, seniors, commercial, CCI) of \$3.241 million. Using a fee of \$390 the projected revenue would be \$3.308 million. Mr. Gancarz discussed the proposed rates with Town Manager Milone whose preference is for the \$380 rate. Page 2 shows the restricted fund balance of \$666,527. A fee of \$390 would match what is anticipated revenue, and with \$380 fee there will be a shortfall to be made up with the reserve fund.

A question was raised by Mr. Bowman about the commercial increase, and going out evenly on the increase.

According to Mr. Gancarz we take the average use for residential, and for commercial the increase is about 2.7%. The regulations require increases evenly, and takes the average residential use and convert it to a cost per 100 cubic feet.

The issue of reduced energy costs when the new plant is up and running was discussed. Mr. Chelton stated items replaced will have efficiency and cost reductions, but offsetting this will be the new equipment for UV and phosphorous which will increase costs. The net result is unknown at this time.

Chairman Pelton commented on the \$380 fee falling short of revenue, but with Mr. Gancarz getting good data on money in and out he is confident this will be closely monitored. These are challenging times and WPCA must do what it can to recover its costs, and a \$10 increase is better than \$20, with maintaining the track, having a conservative position running the business.

Mr. Bowman stated he did not want to go every year with expectation of an increase.

Stating his agreement, Mr. Perrotti said a year of new plant operation is in order before further increases to the sewer use fee.

Supt. Dievert stated it will take longer than one year, and we are looking at 2 or 3 years.

There were no public comments or questions.  
The public hearing was closed at 7:50 p.m.

### REGULAR MEETING

Chairman Pelton called the meeting to order at 7:51 p.m. The clerk called the roll and a quorum was determined to be present. Chairman Pelton read the fire emergency notification.

#### **1. Public Communications**

None.

#### **2. Applications**

##### **a. Sirois Realty – 540 West Johnson Avenue – Feasibility Application**

Attorney Anthony Fazzone represented the applicant. The property is the building known as House of Doors, and the owner wants to change the use of the building for a recreational facility. This is a minor change to the zone and the use is permitted in the zone. The building will have trampolines, rock climbing, etc. for children and group parties, and no food will be prepared or served on the premises. In looking at the public health tables, Mr. Fazzone could not find anything comparable, so he used 5 gallons per person called for in a social event. The owner estimates up to 280 people per day on weekends, so the model of 1400 gallons per day was estimated. The property fronts on West Johnson Avenue; the family members own a strip of land going perpendicular to Peck Lane; and this is where they would hook in. It is all gravity feed; there will be no locker rooms or showers; and the facility will have typical bathrooms.

Mr. Bowman questioned why the applicant is not following up the center of West Johnson Avenue.

In response, Mr. Fazzone said this is probably due to the cost; this would be a private lateral going down to Peck Lane.

Mr. Gancarz has spoken with the applicant about the hook up into West Johnson and the cost. This road was recently rebuilt and would have to be repaved, with the

applicant being the only person paying for this. It was stated by Mr. Gancarz that 1400 gallons is within expectations in the I-2 zone. This is 3.78 acres of land, which would be 2400 gallons per day, and there is no issue with this. For the final design the Town wants justification for 1500 gallons per day from other facilities, septic system would have to be abandoned, portion of the system connected to the new manhole will be taken over by the Town, the lateral remains private, and everything is subject to testing and final design.

MOTION by Mr. Pelton; seconded by Mr. Bowman.

MOVED that the Cheshire WPCA has reviewed the application and submittals of Sirois Realty, 540 West Johnson Avenue, for Feasibility Approval for Extension of Public Sanitary Sewers. Based upon that review and based upon the recommendation of the Director of Public Works, the WPCA has determined that the application and submittals detail a sanitary sewer system which is generally capable of construction and which is capable of being connected to the Town of Cheshire public sanitary sewer system. THEREFORE, the application is APPROVED, with the following conditions:

(12.2.B) This approval is preliminary and does not constitute conclusive nor final approval. The right to connect to the sewer system can only be gained by applying for, and obtaining approval of Final Design Approval, an Award of Capacity, and a Sanitary Sewer Connection Permit.

1. All costs connected with the proposed sewer system shall be borne by the Developer.
2. All transfers of property in the subject development shall be encumbered by Written waiver by each grantee to any right to appeal any benefit assessment Which the Town of Cheshire may levy on such property; However, each grantee May reserve the right of appeal regarding supplemental assessments that the Town may levy.
3. The application and submittals are incorporated and made a part of this Approval.
4. The proposed sanitary sewer system shall become a part of the public Sanitary sewer system *except for that part which is to be retained in private ownership which is described on the application plans, entitled Feasibility Plan and profile for sewer lateral prepared by Sirois Realty, LLC, 540 West Johnson Avenue, Cheshire CT, dated September 9, 2014, prepared by Robert Greene Associates LLC, scale 1 to 40.*
5. The Application for Final Design/Award of Capacity shall incorporate the Comments listed in the memo from Town Engineer Walter Gancarz dated October 15, 2014.

Discussion

Mr. Bowman would like to see the abutting property owner on the map, and he questioned the location of the easement.

Chairman Pelton amended the motion with an addition to read as follows:

6. As final design documents are prepared the abutting property owners are outlined as described.

Attorney Fazzone said this would be done for the site plan.

VOTE The motion passed unanimously by those present.

**b. DeVylder Property Subdivision – 35 Warren Street – Final Design Award of Capacity Application.**

Darin Overton, P.E. Milone and MacBroom, represented the applicant. Mr. Overton explained this is a subdivision per zoning approved by the PZC, and is part of a previously approved feasibility with the same conditions of approval. Revised plans were submitted October 9<sup>th</sup> showing additional information requested, including water laterals and sanitary laterals shown. The new laterals are shown as required with separation of 10 foot distance from the water and existing sanitary laterals. There is one thing missing on the revised plans which do not show repair detail, and there were concerns stated about the age of the mains.

Mr. Overton submitted copies of the plans including repair details where section of the pipe could be removed and repair done, a T put in to support the laterals. It was noted by Mr. Overton that things could change, but this is standard type of detail for this pipe and inspections will be done by Town staff. One existing lateral can be used; benefit assessment has been paid on that; there will be 6 additional capacity feeds to support the new laterals for the 7 new lots.

It was stated by Mr. Bowman that this line is the original; it is clay; and he has witnessed a tap on the line in the last 36 months that went wrong; it was never correctly repaired and let go. It is Mr. Bowman's opinion that because this is clay pipe the line should be replaced from the entire width of the property before any ability to tie in. He will not vote for this application unless this is done. Clay pipe is brittle, and as soon as you tie into it, with a T or saddle, it will break and the Town will own it down the road. He said Willow is a very wet street; there will be more infiltration which is what we are trying to avoid; and the compromise is to replace the pipe and not add additional use or pressure to the line. The pipe should be replaced property line to property line.

Chairman Pelton commented on concerns expressed about clay pipe, and WPCA need time to digest the material and engineering to determine whether this will work. He stated the WPCA needs material before the meeting night.

The WPCA was told by Mr. Gancarz that he spoke with Mr. Overton about this in July when the feasibility was done and this was a serious concern of the Commission, which he made clear. He agrees with something this important the WPCA cannot review repair details the night of the meeting when feasibility was approved in July.

Stating this is not right, Mr. Bowman questioned why this is being done as it is asking for trouble in the future. It should be fixed and fixed right, and then a repair detail is not needed...in case something happens.

Mr. Overton said the repair detail was submitted in light of the review comments and in response to the issue. This is an unusual situation and burden to replace the main in the street for the subdivision approved in the zoning requirements. There is no money to pay for some of the pipe replacement; some of the costs levied to the property is for payment for that infrastructure to be there for use by the property. Mr. Overton said the land owner cannot be burdened for the full replacement and does not have the ability to do that.

In that regard, Mr. Bowman stated the Town should not be burdened with future problems and repair. The line will be dug up; there will be 5 taps on the line; and a manhole can be dropped on each side and run a pvc. He does not see the Town having to replace this pipe. He said maybe something can be done with the assessment, running it against part of the cost.

There are a number of different options, and Mr. Gancarz said one is what Mr. Bowman is stating...perhaps a lining situation could be another one...or possibility of common sewer with one connection, a private sewer along the rear of the properties, eliminating 4 separate taps.

Mr. Chelton stated there is a risk with clay pipe in the ground that is over 40 years old and near the end of its useful life. It has been done successfully and with problems, and it depends on the quality control, and is a judgment call.

Mr. Cianci questioned the pipe leaking, and if there has been camera/tv inspection and pressure tests. More investigation by the owner would be a benefit. Then a decision can be made based on something more than what is there now.

Mr. Bowman likes the idea of running a private line and tapping into it once, dropping a manhole on each side, and thinks this could work.

The concerns of public health long and short term was cited by Chairman Pelton. He is uncomfortable with tapping into the clay pipe, and the Town Engineer's ideas are up for further discussion. The WPCA's suggestion is to look at fall back, and tapping into clay pipe is off the table.

Mr. Overton will discuss the alternatives with the applicant and provide the WPCA with information before the next meeting.

**3. Projects**

**a. AECOM Invoice #37477583 dated 10/2/14 in the amount of \$57,538.28**

Mr. Gancarz has reviewed the invoice and recommends it for payment. Regarding where we are in the contract, he said items continue to be at or over budget, and the big one is the consultant. AECOM's fiscal year runs to September 30<sup>th</sup>, so October is a short month. \$77,000 has been spent for the pcb investigation and remediation; shop drawings are running more than estimated; otherwise things are in good shape. Change order review is below budget; the project is 44% completed and on time and construction budget; AECOM's fee is at 46%.

MOTION by Mr. Carroll; seconded by Mr. Perrotti.

MOVED to approve payment of AECOM invoice #37477583 dated 10/2/14 in the amount of \$57,538.28.

Discussion

Mr. Chelton reported the only issue is the pcb's, the amount of time and cost. There are many variabilities between now and the end of the contract, with no major reservations.

VOTE The motion passed unanimously by those present.

**b. Carlin Contracting Co. pay estimate #11 dated 10/8/14 in the amount of \$3,003,981.40.**

MOTION by Mr. Bowman; seconded by Mr. Cianci.

MOVED to approve payment of Carlin Contracting Co. pay estimate #11 in the amount of \$3,003,981.40.

Discussion

This is a large invoice and Mr. Gancarz stated this is the normal curve for construction projects, with two big items – emergency generator switch gear and the Kruger disc filters that arrived on site. This is \$1 million, big ticket items. The project is making tremendous progress. Digester covers being worked on; boilers are close to being in place; 2<sup>nd</sup> clarifier came on line; 2 of the 4 primaries have been retrofitted and being worked on; still planning on relocating and opening new administration building next month; lots of work in the de-watering building; contractor working to get everything ready for inside work during the winter; and 44% of the project is completed and on time.

Mr. Chelton reported the bird netting is removed; it must be paid for, taken out, and is a net zero.

VOTE The motion passed unanimously by those present.

**c. Carlin Change Order No. 9 in the amount of (\$3,386.95).**

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

MOVED to approve payment of Carlin Change Order No. 9 in the amount of (\$3,386.95).

Discussion

Mr. Gancarz explained there is a change order for add-ins and deducts, and this is a housekeeping invoice, with an impact of (\$3,386.95). The \$18,500 credit was on the negotiated settlement for the impact on the influent pumps.

VOTE The motion passed unanimously by those present.

**4. Superintendent's Report**

**a. Update on construction progress.**

Supt. Dievert reported one big item is having two final settling tanks; the contractor is working on the roof for the filter building and over the UV system. One concern is getting temporary heat; boilers are in place but not hooked up; denitrification building is heated; 2 bypasses are coming up and they are critical to the process, one on the front end and one on the back end.

Heat is an issue and Mr. Gancarz said the contractor expected to have the boiler in place, but there is a delay due to the pcb remediation plan which pushed things off a few months. The temporary heat will be for a two month period. The digester building is completed; until the digester building was remediated, painted, encapsulated, the contractor could not work in the boiler room. There were some issues with the boiler manufacturer.

Mr. Chelton reported the encapsulation in the digester building is completed and tests are running negative.

There is good news, and Mr. Gancarz noted most of the encapsulation was with the paint on the wall, floors and ceiling. There is one area, the north side of windows, will have fascia on the outside if pcb's extended into the block and tests showed higher numbers.

Mr. Chelton explained that EPA said the concrete had not been tested. This window goes from ground to roof and window base sits on the concrete sill. EPA wants the sill tested; some testing was run; low level hits were received; more testing on another window was done and it is clean. The pcb's are not in the brick, but in the concrete foundation of the building, 15 inches down, and more investigation is to be done.

On page 2 of the AECOM survey Mr. Gancarz pointed out there is status of where we are with contingency. It is still about \$300,000 to the good even with pcb hit, and still

doing well. There is \$55,000 left in the digester pcb remediation; materials are off site and we await this cost, which could be \$20,000 to \$40,000.

**5. Town Engineer's Report**

**a. CCI I/I report**

A report was received from CCI; a new meter was installed last month closer to RT 10; and it is available for the Town to monitor. Supt. Dievert is in contact with CCI staff. There were no identified items in the I/I report.

**b. Claims Commission update**

Nothing has been heard yet, and there is no date for a hearing.

**c. PBC remediation update**

This issue was discussed earlier in the meeting.

**6. Old Business**

**a. Sump Pump Subcommittee**

No meetings; no report.

**b. Town Council Plant Tour**

The tour was successful; Town Council got to see plant management and learn more about the workings of the plant, pcb issue management; and another tour will be conducted in Spring 2015.

**7. New Business**

**a. Set Sewer Use Fee for 2015.**

The recommendation is for a \$380 sewer use fee for 2015.

MOTION by Mr. Pelton; seconded by Mr. Bowman.

MOVED that the WPCA approve increasing the sewer use fee to \$380 for 2015 for single family households and the same percentage adjustment for commercial properties.

Discussion

Mr. Carroll agreed that this fee should not be raised annually, and noted other Town fees are not increased each year. He recommends this fee be in place for 3 to 5 years.

Chairman Pelton stated the increase is not automatic. There is review of analysis, number of users, review of the budget and revenue items, and the forecast is for a fair and equitable increase.

With regard to the DOC reimbursement revenue, Mr. Bowman asked if this goes into the general fund or WPCA budget to offset costs.

Chairman Pelton believes these funds come to the WPCA to recover operating costs and do not go into the general fund.

Councilor Schrumm informed the WPCA there will be discussions on this by the Council, and the funds could go into the operating fund. The operating fund was used for plant operations and changed character of usage. With the denitrification money was taken out of the fund to pay for the debt service incurred on this cost. The theory was to build up a healthy balance; this is all part of the waste water treatment plan; and the money was used for debt service. There will be a hit to debt service with \$32 million of bonds. There is a reserve fund of \$5 million in place, but the big hit is in FY 2017 and there is not enough money to offset a large property tax impact.

VOTE The motion passed unanimously by those present.

**b. Letter from Chesprocott dated October 3, 2014**

In the packet.

**c. CT Association of Water Pollution Control Authorities – Fall Workshop – November 14, 2014.**

Chairman Pelton requested Commissioners interested in attending the workshop to contact Ms. Ray in the PW Department.

**d. Approval of Minutes**

**i. Regular Meeting held September 24, 2014**

Postponed to the next meeting.

**ii. Special Meeting held October 7, 2014**

MOTION by Mr. Pelton; seconded by Mr. Bowman

MOVED that the WPCA approve the minutes of the Special Meeting of October 3, 2014 subject to corrections, additions, deletions.

VOTE The motion passed unanimously by those present.

The Authority members briefly discussed solar panels at the WWTP. Mr. Chelton stated this was looked at during the planning stages, and without significant grant funding it is not cost effective.

Councilor Schrumm explained that with the performance contracting there will be some money used for other areas, but the treatment plant was not an item.

Mr. Gancarz stated for the townwide performance contract nothing was looked at for the treatment plant due to the renovation project. Just as the Town received notification of a rebate of \$1.25 million of the \$10.5 million performance contract, the plant is also

eligible. There has been a submission and at some point there will be a similar energy rebate due to going with more efficient drives and motors that are eligible for savings.

It was decided that a solar option is worth a presentation to the WPCA. Mr. Gancarz advised there are rebates available, companies that would entertain putting on solar panels for a quick return on investment. They look for facilities that use a lot of power, have a new roof, and there is a greater rate using power on site rather than selling it back into the grid.

Mr. Chelton commented on energy recovery being looked at during the planning stages and it was not cost effective without grant funding. He said gas energy is used to heat the buildings, and not enough gas is generated to be cost effective. However, pricing and technology might change over time.

The next WPCA meeting is November 18<sup>th</sup>.

### **ADJOURNMENT**

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

MOVED to adjourn the meeting at 8:50 p.m.

VOTE           The motion passed unanimously by those present.

Attest:

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Marilyn W. Milton, Clerk