

MINUTES OF THE CHESHIRE WATER POLLUTION CONTROL AUTHORITY (WPCA) MEETING HELD ON WEDNESDAY, DECEMBER 17, 2014 AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410.

Present

Tim Pelton, Chairman; John Perrotti, Vice Chairman; Matthew Bowman, Steve Carroll, Ken Cianci, Mark Kasinskas and Tom Scannell.

Staff: Walter Gancarz, Town Engineer; Supt. Dennis Dievert.

Guest: Don Chelton, AECOM

ROLL CALL

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

PLEDGE OF ALLEGIANCE

The group Pledged Allegiance to the Flag.

Mr. Pelton read the emergency evacuation notice.

REGULAR MONTHLY MEETING

1. PUBLIC COMMUNICATIONS

2. APPLICATIONS

a. Sirois Realty – 540 West Johnson Avenue – Final Design/Award of Capacity Application.

Attorney Anthony Fazzone represented the applicant. The applicant has submitted revised plans; all comments from the Engineering Department have been addressed. Since the feasibility approval Mr. Sirois has contacted people with similar facilities of the same size and information is included in the application. There are no restaurant or showers planned for the facility. It will be people coming in to use the facility, have birthday parties and the like.

Mr. Gancarz informed the commission that a review memo was sent out; it is included in the packet; since that time there was a revised plan submitted and distributed to the commission. The key issues included in the plan were originally two clean-outs along the line, which was discussed with Mr. Dievert. He and Mr. Dievert concluded it is preferred to have manholes at those locations; manholes have been replaced at these locations; a detail for coring into the manhole on Peck Lane (repair detail) is consistent with staff recommendations; and Developer's Agreement has the Town owning only the portion in Peck Lane; the rest remains private. The revised plans reflect those comments.

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

MOVED that the Cheshire WPCA has reviewed the application and submittals of Sirois Realty for Final Design Approval. 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 can be constructed and used for sanitary sewerage purposes in accordance with the requirements of the Cheshire sewer regulations and other applicable specifications, codes, and laws; THEREFORE, the application is APPROVED, with the following conditions:

1. This approval does not confer the right to connect to the sewer system which can only be gained by applying for, and obtaining approval of an Award of Capacity, and a Sanitary Sewer Connection Permit.
2. All costs connected with the proposed sewer system shall be borne by the Developer.
3. 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.
4. (3.10) All construction shall conform to all relevant federal, state and local laws, rules, regulations and specifications.
5. Official representatives and agents of the Town of Cheshire, including the Building Official and the Director of Public Works are authorized to enter the Property, at reasonable times, for purposes of inspections, observation, measurement, sampling and testing.
6. This Approval permits the construction of the sanitary sewerage system in installments or phases, but it requires the construction to proceed in consecutive order.
7. The proposed sanitary sewer system shall become a part of the public sanitary sewer system. The application and submittals are incorporated and made a part of this Approval.
8. This Final Design Approval, which is issued in connection with a Site Plan Application, shall be valid for a period of one (1) year from the date of Site Plan approval by the Cheshire Planning and Zoning Commission. Extensions of this Final Design Approval for additional one (1) year periods may be applied for and will be granted by WPCA, by resolution, for good cause shown if the WPCA (in its discretion) finds that substantial compliance has been made with the approved Site Plan; that is, that work on the public improvements and the sewer system has been completed or substantially completed.
9. No Zoning Permit or Building Permit shall be issued and no construction Authorized by this Approval shall commence until the Developer's Agreement

Referred to below is signed by the developer and the WPCA and is filed with The Director of Public Works.

10. The applicant, or his authorized representative, shall prepare and submit to the WPCA, for approval by the Town Attorney and for execution by the WPCA and the developer, a "Developer's Agreement: which sets forth all the conditions of this Approval.

VOTE The motion passed 6-0-1; Scannell abstained.

b. DeVlyder Property Subdivision – 35 Warren St. – Final Design/Award of Capacity Application.

Darin Overton, P.E. Milone and MacBroom represented the applicant. Mr. Overton stated that there was direction from the commission to finalize the design. It was submitted to the Town and there were comments from the engineering review. The plans were revised for the second time to address the comments, and Mr. Overton said they have all been addressed.

Mr. Gancarz stated that as a result of the engineering review memo there were revised plans with a copy to the commission. The key issues were – manhole on Willow Street be moved north coming in at a 90 degree angle rather than an obtuse angle; the coring repair detail for where the one connection would be made on Willow Street and Warren Street, done with inspection of Supt. Dievert's staff. Mr. Gancarz did not see the repair detail for how to abandon the existing sanitary sewer lateral – on Warren Street from one property that needs to be abandoned so there is no leakage.

According to Mr. Overton there are a series of notes detailing this lateral on the detail sheet, capping it as needed. The applicant had a contractor price the proposed main extension as well as the price for the previous scenario with the laterals. Mr. Overton submitted the estimates. He noted there is a difference from the estimates of about \$15,400 in cost going from the lateral connections to what is currently proposed. He requested a reduction of \$2,200 per box of the connection charges and this can be discussed with the commission at this meeting.

Mr. Bowman said he has no problem with that if the applicant was going to replace the existing mains with pbc and use the laterals the way initially suggested. He asked if the main would remain on private property

In reply, Mr. Gancarz said there would be an easement given for this portion of it.

Chairman Pelton commented on waiving fees, and the criteria to waive fees on the subject project and for someone else on their project. He has not had a chance to digest this, as he tries to balance the proposed plan for the cuts in the street and other patchwork in the original design. He is hard pressed to think there is a significant delta to and from without just seeing this for the first time.

Mr. Bowman said he would consider it if the main is replaced.

Mr. Carroll asked if the \$15,000 is incremental to the original proposal that is clarified.

The commission was referred to the first page attached, and Mr. Overton said the contractor priced it out at a cost of \$54,900 as proposed on the plans. Looking at this strictly from an extension of the laterals off the existing main, attaching to the road, this option is more than the first one. The total cost adds up to \$39,500.

Stating he was sympathetic to the original plan and the thought given to some relief that the main would be replaced, Mr. Carroll agrees with Mr. Bowman that there are other plans that the commission has influenced, raising the cost of the project. Because the main is owned by the Town he would feel obliged, if it is required to replace the main, to feel some responsibility. The commission pushed for some changes with this application, and Mr. Carroll said there is a better solution than the original one...but this happens with all projects.

Mr. Gancarz stated his satisfaction with the changes made by the applicant.

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

MOVED that the Cheshire WPCA has reviewed the application and submittals of Thirty Five Warren Corporation for Final Design Approval. 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 can be constructed and used for sanitary sewerage purposes in accordance with the requirements of the Cheshire sewer regulations and other applicable specifications, codes, and laws; THEREFORE, the application is APPROVED, with the following conditions:

1. This approval does not confer the right to connect to the sewer system which can only be gained by applying for, and obtaining approval of an Award of Capacity, and a Sanitary Sewer Connection Permit.
2. All costs connected with the proposed sewer system shall be borne by the Developer.
3. 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.
4. (3.10) All construction shall conform to all relevant federal, state and local laws, rules, regulations and specifications.

5. Official representatives and agents of the Town of Cheshire, including the Building Official and the Director of Public Works are authorized to enter the Property, at reasonable times, for purposes of inspections, observation, measurement, sampling and testing.
6. This Approval permits the construction of the sanitary sewerage system in installments or phases, but it requires the construction to proceed in consecutive order.
7. The proposed sanitary sewer system shall become a part of the public sanitary sewer system. The application and submittals are incorporated and made a part of this Approval.
8. This Final Design Approval, which is issued in connection with a Site Plan Application, shall be valid for a period of one (1) year from the date of Site Plan approval by the Cheshire Planning and Zoning Commission. Extensions of this Final Design Approval for additional one (1) year periods may be applied for and will be granted by WPCA, by resolution, for good cause shown if the WPCA (in its discretion) finds that substantial compliance has been made with the approved Site Plan; that is, that work on the public improvements and the sewer system has been completed or substantially completed.
9. No Zoning Permit or Building Permit shall be issued and no construction Authorized by this Approval shall commence until the Developer's Agreement Referred to below is signed by the developer and the WPCA and is filed with The Director of Public Works.
10. The applicant, or his authorized representative, shall prepare and submit to the WPCA, for approval by the Town Attorney and for execution by the WPCA and the developer, a "Developer's Agreement: which sets forth all the conditions of this Approval.

Discussion

Chairman Pelton stated that the motion will include the Town Engineers memo dated December 10, 2014 regarding 35 Warren Street; and the Developer's Agreement.

VOTE The motion passed unanimously by those present.

3. Projects

Mr. Gancarz stated the commission had invoices in front of them for approval. He submitted a monthly status report, similar to past reports. The project remains on target; some items tend to run higher, i.e. consultation driven by PCB consultations. In the past month more senior people have been working on this item resulting in a higher amount. Shop drawings eat up a lot of budget. At the progress meeting today, Mr. Gancarz and Mr. Dievert talked to the contractor and he says he understands everything. We are 62% complete for the project; the good news is that request for

information should slow down; and shop drawings will pick up more towards the end. The contractor has until the end of November 2015 to complete the project, and he is slated for earlier completion.

Mr. Chelton stated that shop drawings have dropped off to about 20 to 25 per month. The PCB issues were not in the budget and this was a big item of concern. Other than the PCB item, the project is on budget.

a. AECOM invoice #37493733 dated December 8, 2014 in the amount of \$86,043.93

MOTION by Mr. Carroll; seconded by Mr. Kasinskas

MOVED that the WPCA approve AECOM invoice 37493733 in the amount of \$86,043.93, dated December 8, 2014.

VOTE The motion passed unanimously by those present.

b. Carlin Contracting Co. pay estimate #13 dated November 30, 2014 in the amount of \$2,453,250.82.

Mr. Gancarz reviewed where things are with this item. Much work has been done; we are close to moving into the administration building by the end of the month; fascia must be put up on the outside before a c/o is issued; digester covers go back on December 29th; and burners for the boilers arrive this week and should be operational in 2 weeks. Much work being done in the sludge dewatering building; influent pump station is 85% completed and the pcb remediation went well; not too much of the contingency will be used for this work due to an excellent plan; operations building work is ongoing; the UV phosphorous building is buttoned up. Lots of work has been done, about 62% through the budget, and things are going well.

Mr. Chelton raised an order of business regarding change order #11 items, and said this item should be approved before other approvals.

Change Order #11 was moved to current status on the agenda.

c. Carlin Contracting Co. pay estimate #11 in the amount of \$28,926.67.

Mr. Gancarz said change order #11 is a number of housekeeping items. One is adding a new roadway, not on the plans, going next to the secondary clarifiers, which gives staff better access to the denitrification building. There are several items listed with the PCB encapsulation painting for the influent pump station, and some painting being deleted, and some fire protection painting for the piping and hangers in the sledge dewatering building. The last significant item was the uncovering of the last piping at the primary settling tank with a loop in there to be eliminated, so a hot tap was made on that.

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

MOVED to approve payment of Carlin Contracting Co. pay Change Order No. 11 in the amount of \$28,926.67.

VOTE The motion passed unanimously by those present.

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

MOVED to approve payment of Carlin Contracting Co. pay Change Order No. 13 dated November 30, 2014 in the amount of \$2,453,250.82.

VOTE The motion passed unanimously by those present.

On the 2nd sheet of the information submitted, Mr. Gancarz noted the contingency started at \$945,704.49. The design extras, the additional sludge, additional PCB remediation and encapsulation, is a number carried without knowing how far or difficult it might get into what has to be done. He said the good news is that this amount of money will not be needed. The encapsulation painting is included; there are still some electrical conduits to be re-run; the contractor does not see this as a big ticket item. The contingency will be carried for another two months, but Mr. Gancarz thinks the number can be reduced...it is a conservative contingency.

Mr. Gancarz talked about change orders #1 through #11 which have been executed to date, \$442,625, stating the vast majority of this cost has been for PCBs. No invoice has been seen for the pcb disposal, but change order #4 included \$55,000 for this cost.

An important item was mentioned by Mr. Gancarz, ITS transfer from pump station transfer. Based on his information he reported there was \$139,000 left over from the influent pump station project, shown on our sheets as an active account. He checked with Town Manager Milone who agreed that if the money is there, it can be used for the influent pump station, and meets the requirements of the referendum. To close the loop Mr. Gancarz was advised the project was de-authorized by Council in 2011. This could increase the contingency to about \$300,000. Mr. Gancarz noted there was an allowance of \$450,000 to rehabilitate two presses; \$140,000 has been approved for the electrical controls and drive shafts to be put in as part of that; and there was a hold-off on rehabilitation of the rest of the equipment pending on contingency funds. With the \$300,000 there can be a later decision on this work. If part of the contingency had to be used this rehabilitation work could be done over a one or two year period using funds from the reserve account.

There was a brief discussion on what happens to project funds that are not used leaving a balance in the project. Mr. Gancarz said there is a Council list of active accounts/projects and the influent pump station project appeared on this list. A few months ago Council looked at old accounts, and this money was found. With regard to the PCB final costs Mr. Gancarz believes this number will be known in a few months.

4. SUPERINTENDENT'S REPORT

a. Update on construction progress.

Supt. Dievert reported that construction is going well. PCB removal in Influent Building is almost done, and then work is moving to the Operations Building. In the next 2 months big passes will happen – one on the effluent side and one on the influent side. Primary settle tanks should be on line by Christmas.

Mr. Chelton stated that on one of the windows in the Digester Building there was some caulking. EPA wanted samples taken which was done. One window had numbers dropped off and the other window numbers went up. The numbers are 1.3 and 1.6, well below federal limit, and Mr. Chelton believes the whole issue will go away. However, a letter had to be sent to EPA this week from AECOM indicating the levels were found, concrete will be capped from the sill to the ground level and exposed areas will be covered. It is hoped EPA will approve this plan. Mr. Chelton said we are now into the water proofing material on the concrete which goes down several feet, and it is an unknown area which we do not want to get into.

It was stated by Mr. Gancarz that one benefit is EPA's key to exposure. If we have an almost unoccupied building, and the problem is on the outside, he thinks we are on firm ground to argue the issue.

Supt. Dievert stated he is pleased with the progress of the construction project.

5. TOWN ENGINEER'S REPORT

a. Claims Commission Update

Mr. Gancarz stated there is nothing new to report. Several of local state legislators are upset the process has not moved ahead and they are making their views known at the state level.

b. Developers Agreement for W.S. Development

This agreement has been approved and Mr. Gancarz said WPCA execute this agreement. One missing piece was probable construction costs. It is \$2.56 million and the agreement was signed by Chairman Pelton.

6. NEW BUSINESS

a. Letter from Chesprocott dated December 4, 2014

The letter was in the packets.

b. Authority members whose terms are expiring.

Chairman Pelton reported that the terms of Mr. Scannell and Mr. Bowman are expiring. He accepted Mr. Bowman's willingness to serve on the Authority. Mr. Pelton commented on the excellent members of the WPCA with diverse experience and thanked everyone for their participation and attendance at meetings.

c. 2015 Meeting Dates

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

MOVED that the Water Pollution Control Authority approve the meeting dates for calendar year 2015 as follows: January 28, February 25, March 25, April 22, May 27, June 24, July 22, August 26, September 23, October 28, November 18, December 16 and January 27, 2016.

VOTE The motion passed unanimously by those present.

Chairman Pelton reminded the Authority members of the holiday party on December 18th, 5-7 p.m. in Council Chambers for board, committee, and commission volunteers/members.

7. OLD BUSINESS

a. Approval of Minutes: Public Hearing and Regular meeting held on November 19, 2014.

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

MOVED to approve the minutes of the Public Hearing of November 19, 2014 subject to corrections, additions, deletions.

VOTE The motion passed unanimously by those present.

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

MOVED to approve the minutes of the Regular Meeting of November 19, 2014 subject to corrections, additions, deletions.

VOTE The motion passed unanimously by those present.

8. ADJOURNMENT

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

MOVED to adjourn the meeting at 8:20 p.m.

VOTE The motion passed unanimously by those present.

Attest:


Marilyn W. Milton, Clerk