

**MINUTES OF THE TOWN OF CHESHIRE WATER POLLUTION CONTROL
AUTHORITY REGULAR MEETING HELD ON WEDNESDAY, JUNE 24, 2015 AT 7:30
P.M. IN COUNCIL CHAMBERS, 84 SOUTH MAIN STREET, CHESHIRE CT 06410.**

Present

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

Absent: Matthew Bowman

Staff: Walter Gancarz, Town Engineer

Guest: Don Chelton, AECOM; David Schrumm, Town Council Liaison

PLEDGE OF ALLEGIANCE

The Group Pledged Allegiance to the Flag

ROLL CALL

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

Chairman Pelton read the emergency evacuation notice.

REGULAR MONTHLY MEETING

1. PUBLIC COMMUNICATIONS (none)

2. APPLICATIONS

a. Final Permit Application - 138 Highland Avenue

Matthew Ducsay, P.E. Milone and MacBroom represented the applicant, stating that the project received feasibility approval from the WPCA in January 2015. The development is 11 units, 5 in the front and 6 in the rear. Four (4) units are to be served by gravity to an on-site manhole; lower level unit is plumbed to the back of the property; 6 units in the rear are plumbed to the same location. Four units will be served by gravity, and 7 units will be served by an E-1 pump to the on site manhole, and ties by gravity to the existing sanitary lateral.

The Authority members had expressed a desire to pursue a gravity connection to Hillside Village connection. Feedback was received from the Hillside Village Board of Directors stating they had no desire to pursue this connection. The property will be sewerred as originally proposed.

Mr. Ducsay informed the Authority members that this is intended to be a rental community, and if it becomes a condominium complex with units to be sold, there will be full disclosure about the sanitary sewer system.

With this being a rental community, Mr. Perrotti questioned back-up power for the pumps, the type of guarantee, manual power back-up, and if this has been addressed.

In response, Mr. Ducsay explained there is a generator cited on the plans now. The developer will contract with a pump contractor for maintenance and servicing the pump if alarms go off, but there will not be a staff person on site. With regard to ownership of the pumps and septic line, Mr. Ducsay said the property owner assumes full responsibility for maintenance and any problems on site. If the units become condominium units in the future, there would be disclosure in the deeds for shared responsibility of the system.

Chairman Pelton recommended that the rental leases for units include a written statement that the unit is on a grinder pump system. The statement would include thoughts for the renters about not putting oil, grease, wipes, etc. into the system. He noted that if there is a problem with the system, the first call would come to the Town offices. Therefore, renters should be aware of their unique sewer disposal system. As units turn over, every new lease should have this verbiage included.

Stating that this is a good recommendation, Mr. Ducsay said it could be incorporated into the lease agreements. He reported that the developer/owner lives in Cheshire.

Town Engineer Gancarz stated that his review letter included the right to use the existing connections to Route 10 for both the ejector system and the gravity system. Prior to use it must be inspected, with verification there is sufficient capacity based on the size. If it is leaking, it must be repaired or replaced.

This is an agreeable request, Mr. Ducsay said once there is exposure during construction the applicant will verify the integrity, condition, and diameter of the pipe.

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

MOVED that the Cheshire WPCA has reviewed the application and submittals for 138 Highland Avenue LLC/138 Highland Avenue for Final Design and Award of Capacity 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, this application for Final Design and Award of Capacity is APPROVED.

This Final Design and Award of Capacity Approval is conditioned upon the following:

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. Additional verbiage will be built into the lease to educate renters on the unique situation of the sanitary sewer system, how to best maintain it, what to do and not do, and emergency contact information. There will be an emergency power supply to all the pumps as part of this approval process.

VOTE The motion passed unanimously by those present.

b. Final Permit Application - 920 Jarvis Street (Cedar Crest Development)
Ryan McEvoy, P.E. Milone and MacBroom represented the applicant, Apex Developers for the 15 lot single family subdivision in an R-40 zone, for final award of capacity and

design approval. The property has an existing house to be included as one of the lots of the subdivision, and this house is served by public water and on site subsurface sewage disposal system. There are 3 existing houses in the vicinity of the proposed subdivision, and pieces of these properties will be taken for the overall development.

On the subdivision map, Mr. McEvoy pointed out the project site, Dundee Court to the west, Moss Farms Road across the street. The property is about 20 acres, will be a cluster subdivision with smaller sized lots than a typical subdivision in an R-40 zone, the same size as the Moss Farms Development.

There is a gravity sewer line constructed as part of the adjacent subdivision in the 1990's that gravitates to the Moss Farms Pump Station. Mr. McEvoy stated that the subject application received feasibility approval with the understanding of connection to the gravity line near Dundee Court. As part of this approval the Authority suggested the applicant consider ways to connect via gravity. The applicant is in negotiations with 155 Orelton Court property owner, the last house on the Court, to obtain a sewer easement through the property for construction of a gravity line. As of May there is an agreement with the property owner to connect via gravity to the existing sanitary line just prior to it entering into the Moss Farms pump station.

The applicant is now proposing a new sewer 8 inch diameter gravity line, running cross country, north to south, to the back of some of the units in the development for about 800 feet. This cross country line is approximately 1% average in slope, and some of the lots on the northwest corner of the subject site will connect into this line, in the rear. The remainder of the parcels will be served by gravity sewer line within the proposed roadway as part of the subdivision, all connecting via gravity to the cross country line and connecting to the existing sewer. The total runs about 1,300 linear feet in length; 800 l.ft. being cross country; 500 l.ft. in the road. All lots will be served by gravity; the lots on the east/upper side of the site will not have basement service, and will be served by gravity. Its possible a few lots might have basement service. The location of service does not interrupt any of the proposed houses; there is need to provide a 20 foot easement across the proposed sewer and cross country line. If this layout is agreeable to the Authority, the developer will provide the easement. With the easement it is hoped the development is attractive for future buyers and the WPCA.

Chairman Pelton acknowledged the applicant's efforts to go gravity, as gravity will not break, and is maintenance fee.

Mr. McEvoy stated the location of the cross country line was chosen specifically because the topography of the north part of the site. There is significant range change from the wetlands and river up to the central portion of the property. The location chosen is to provide for reasonable depth in the elevation of the sewer while avoiding significant cuts to construct the sewer.

A question was raised by Mr. Perrotti about the couple of manholes accessible in the back of some lots...3 possible manholes along the woods. He asked how they would be maintained and access to them, and who owns them.

According to Mr. McEvoy most of the manholes will be located in an area controlled by the HOA. This development style has required open space. The applicant is looking to donate 8 acres in the wetland area and flood plain areas to the Town that is near a large Town owned open space tract. The areas around the lots, between the lots and Town open space, existing lots to the north will be owned by the HOA. This will be a buffer to avoid encroachment to the neighboring properties. The property sewer, not in the back of the houses, will be located within the HOA property. The Town will take ownership of the easement upon completion, if agreeable to the WPCA.

In response to a question from Mr. Pelton on the number of manholes and rationale for the direction change, Mr. McEvoy stated it is primarily for the topographic difference. Regarding the easement in the back of the property owners for access, Mr. McEvoy said total easement will be 20 feet across the properties in favor of the Town and there will be access.

Chairman Pelton asked about building in a codicil that trees, swing sets, decks, pools etc. cannot be built in the easement. He commented on the HOA issues in Cheshire... the Town going through a lengthy analysis of where HOAs have not worked, were never formed, were dissolved, and there is no one to approach with issues and problems. He asked if there is an alternative to an HOA to insure the Town has access to and can maintain the public sewer.

During the PZC process, Mr. McEvoy reported there was extensive discussion on the formation of the HOA. Attorney Fazzone developed strong language on formation and enforcement of the HOA. The Authority members were assured that the language prepared is very strong and included as part of the PZC approval. It includes the developer providing funds to start an HOA account. Mr. McEvoy believes the applicant would accept the PZC language for the HOA to be included in the WPCA approval. He noted this HOA is a new one, and is a separate association.

Mr. Kasinskas commented on the easement in favor of the Town is going to be in place regardless of who the underlying property owner. The only way for potential problem is the underlying owner.

The Authority members were informed by Mr. Gancarz about other places in Town...with sewers running through people's back yards, and there have been minor issues. There are many examples of easements going through property owner's yards. If there is a blockage or something, the owner must provide access for repair.

Mr. Kasinskas talked about consideration of the timing of establishment of the easement. The WPCA might want to wait for transfer of the property to the HOA.

Logistics wise, Mr. Gancarz said the sanitary system must be in before getting a building permit or c/o for an individual house, with the easement in place before the applicant starts the sewer.

Mr. McEvoy said this will be done right; there is a procedure for transfer of the roadway to the Town upon completion; the easement will be in place once the sewer is constructed to the satisfaction of Town staff.

The Authority members discussed the HOA, its formation/responsibilities, whether WPCA should see the agreement. The discussion included the following points:

- Maintenance of the easement would be written into the HOA agreement;
- The HOA would be required to maintain the storm water, i.e. no mowing.
- The agreement does not come back to WPCA; this is within the purview of PZC;
- The developer is responsible to form the HOA;

Mr. Gancarz noted the developer went to additional cost to find the gravity connection.

A question was posed by Mr. Chelton about one side of the road not having basement service and the reason for this choice.

The units on the high side of the property will not have basement service, and Mr. McEvoy explained the reality that these rear units are walk-out with sewer in the back so basement service can be provided. In the front units the sewer would drive down an additional 5 feet vertically to achieve that, and the owner does not intend to finish any basements. The applicant would have to cross the water line; RWA requires the water line on the north or east side of the development. The water line is between the homes and the sewer (in the center of the roadway) which makes everything driving deeper and more challenging.

Mr. Chelton believes town sewer regulations require basements.

The southeast side of the development cannot achieve gravity, and Mr. McEvoy said units 1, 2, 15, 14 will not have basement service.

Page PR-1 - Mr. Ryan pointed out the initial sewer run.

With the current design Mr. Gancarz said if we get down another 5 feet there will be manholes down 20 feet.

This sounds like it can be done and Mr. Chelton said it is a choice. He asked if the line has any potential for servicing any undeveloped area in this area.

In reply, Mr. McEvoy said probably not...given the topography of the roadway there is a drop in grade as you approach Jarvis Street where the development has its last manhole. The design is to accommodate only the proposed houses in the

development by gravity. On the plans he pointed out the Town owned open space, properties served by a forced main, and 2 houses on septic systems.

With regard to the requirement in the sewer regulations for basement service in new developments, Mr. Pelton said he does not believe this is a requirement.

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

MOVED that the Cheshire WPCA has reviewed the application and submittals for Apex Developers, LLC/920 Jarvis Street for Final Design and Award of Capacity 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, this application for Final Design and Award of Capacity is APPROVED.

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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.
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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.
11. The Developer or homeowner agrees to properly maintain the 20 foot easement for the entire length of the sewer line, including annual mowing, to insure access by Town staff.

VOTE The motion passed unanimously by those present.

3. PROJECTS

a. AECOM Invoice #24 dated June 11, 2015 in the amount of \$107,246.56

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

MOVED that the WPCA approve payment of AECOM invoice #24 dated June 11, 2015 in the amount of \$107,246.56, as submitted.

Discussion

Mr. Gancarz reviewed the AECOM invoice and is in agreement with it. The standard score sheet for the month was reviewed with Authority members. As part of the AECOM agreement, once the project is 60% completed, AECOM will give projections of what is to be done to keep to the plan.

Score Card - \$2 million of the \$2.8 million is expended; consultation is over due to the PCB issues; shop drawings 656 reviewed to date.

On the positive side, request for information and responses has a healthy balance; this is the same with the change order review and processing.

Resident Engineer - 79 weeks to date; there is sufficient money to get to the end in late October.

With the exception of the PCB issues the project is tracking on budget.

Mr. Gancarz recommended approval of payment for the invoice.

VOTE The motion passed unanimously by those present.

Mr. Perrotti cited a section of the sewer regulations regarding "basement elevations" for new developments into the record.

Project Update - Mr. Chelton (AECOM) explained that the agreement calls for a budget update at 60% of completion level. He submitted a WPCP upgrade of the project, June 2015 to completion, and reviewed the information with the Authority members. At this time there is a clear picture, with some assumptions going into the estimate, and many things cannot be defined.

2.1.5 - Consultation - the PCBs were included in the consultation item.

For each item in the upgrade report there is a budget number, cost to date through 6/5/2015, CTC-estimated cost to complete, EAC-estimated at completion (sum of the cost to complete plus monies spent to date).

2.1.5 - 626 hours; total cost of \$131,000 for consultation and advice; to date 451 hours spent, total cost of \$102,336. CTC is assumed at 4 hours per week for next 24 weeks; the analysis runs through the formal completion date of November 18, 2015; 96 hours to complete, with direct labor of \$6,240. Overhead + few hours for subcontractors; total \$22,742 to complete this task; added to \$102, 336, total of \$125,078 for this task, versus a budget of \$131,000.

Mr. Chelton noted that each and every line item of the agreement goes through the same exercise.

PCB Item - to date spent 586 hours on PCBs; projection of another 150 hours for total of 736 hours; total cost of \$111,000. The number carried each month in the contingency is around this number, but is slightly higher.

Page 2/Total - Cost Budget for Project - \$2,620,352; Spent to date - \$,837,863; CTC, \$886,974; EAC \$2,724,836. This is \$104,484 above current limit (this is the PCBs cost). Mr. Chelton cited the fact that without the PCB issue, AECOM would be \$7,000 below budget at completion.

Mr. Gancarz stated the completion date is November 18th, and it is expected the project will be 2 to 4 weeks ahead of schedule.

According to Mr. Chelton it is hoped the project will be 27 months in duration; right now everything is on budget, with exception of the PCBs. The summary given to the Authority is a report of where things are budget wise. The report will be monitored for possible adjustments in the agreement with AECOM. As of this date, we are on track. There are certain PCOs from Carlin, and they are accounted for and managed in the budgeting.

b. Carlin Contracting Co. pay estimate #19 dated June 4, 2015 in the amount of \$796,186.94.

Mr. Gancarz reported to the Authority what Carlin has been doing since the last meeting. Many things happening at the plant.

- The switch was made from the old power feed to the new one; the old generator was abandoned; the new generator is on line and connected to the equipment; the old generator was sold for \$18,000 and is being picked up this week.
- The last PCB work has started.
- Digester covers have been pressure tested and painted.
- UV system operational for one month and is very effective.
- Disc filters are installed and ready for use; will be a few months before activation; the computer system controlling the chemical feed is missing.
- Permit standpoint - UV system was ready by May 1st; for the disc filter and phosphorous removal the permit requires them to be operational next year by April 1st; DEEP requires them to be operational when available; when computer controls are in place in late summer they will be turned on.
- Right now there is start-up of individual pieces of equipment and pumps.
- Bills are coming down; all major of pieces of equipment and buildings are in place; now spending lots of labor time, especially electricians, getting pieces of equipment on line and started up.

Mr. Gancarz recommended approval of the invoice.

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

MOVED that the WPCA approve payment of Carlin Contracting Co. pay estimate #19 dated June 4, 2015 in the amount of \$796,186.94.

Discussion

There are no items for C/O #16 in this invoice.

VOTE The motion passed unanimously by those present.

Contingency - Mr. Gancarz noted the 89% completion of the project; contingency balance is \$119,937; start up budget was \$945,000; \$675,000 was spent on the PCB removal; a good job was done with control of costs since the PCB issues.

In addition to this there are allowances; \$345,000 estimated to rehab the 2 belt filter presses; this was held back; this money left and not spent.

Adjustments - estimated future C/O's \$80,338 before job is done; allowances are built into the contract, with one being the belt filter presses; one BFP would be \$147,000 ahead on allowances than originally estimated. The total of the two numbers ends up with another \$67,000 for a total contingency estimate of \$186,000 based upon doing one of the BFP.

The additional PCB encapsulation of \$140,000 includes \$118,000 carried at AECOM's portion of that cost. This ties in with Mr. Chelton's numbers.

At 89% completion the project is in a good place; there is authorization to get an updated cost for one of the BFPs; and there may be shop drawings submitted for the one BFP at about \$40,000; if things continue to be in good shape the order for the BFP may be placed.

c. Carlin Contracting Co. pay estimate #16 in the amount of \$43,960.70

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

MOVED that the WPCA approve payment of Carlin Contracting Co. pay estimate #16 in the amount of \$43,960.70

Discussion

There are some credits and additional costs and Mr. Gancarz has reviewed all the items. Disc Filter Credit of \$33,627; Strainers replaced in the basement; Automatic Samplers replaced in the basement; it is recommended all this work be done.

Item #4 - Stop Logs Revision - This is a mechanism that goes at the very head of the plant; it protects the mechanical equipment from being hit by any large object coming through the system, getting caught up in a wheel or pump and ruining it. There was a piece of equipment spec'd, shop drawing reviewed, supplied, it was not large enough, was reordered, and this item needs to be in place for protection of the plant. Mr. Gancarz recommends approval of this item.

Mr. Chelton explained the dimensions did not match up with the actual size of the channel; new logs are ordered; this matter will be revisited at the end of the job.

VOTE The motion passed unanimously by those present.

4. SUPERINTENDENT'S REPORT

a. Update on Construction Progress

5. TOWN ENGINEER'S REPORT

Mr. Gancarz shared good news with the Authority members on some of the newly installed equipment reducing the amount of electricity being used, particularly the aeration system which is now computer controlled. The new system gives feedback on the levels in the tank, can ramp down the amount of air used, and a smaller one can be used when the flows are less, with use of a larger one when flows are larger.

The town is eligible for an Eversource rebate program, and at the next meeting Mr. Gancarz will have a letter of commitment from the company. The number is in excess of \$200,000. AECOM has submitted detailed information to Eversource; an independent consultant reviews that information; and Eversource executes the agreement. The original estimate for existing equipment was 800,000 kwh reduction; standard rebate is 30 cents per kwh, or \$240,000. This is for all the existing equipment being replaced, and the UV system coming on line is an electricity draw, as is the operation of the disc filters. It was noted by Mr. Gancarz that this program is similar to the performance contracting program.

Legislation on the phosphorous is still at 30% for Cheshire; it is very complicated; and Mr. Gancarz doubts this legislation will pass.

Claims Commission - the attorneys from Murtha Cullina, the firm representing the Town, has been informed the hearing date is set for January 28, 2016.

Grand Opening of WWTP - Mr. Gancarz reported the date is October 16, 2015 for the ceremony; the project will be 92% completed at the end of June.

Chairman Pelton commented on the WWTP project being on time and on budget.

6. NEW BUSINESS

a. Letter from Chesprocott dates June 1, 2015

The letter was a comprehensive report. Mr. Gancarz stated there is a standard inspection which includes the septic system for all real estate transfers.

7. OLD BUSINESS

a. Approval of Minutes: Regular Meeting held May 27, 2015.

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

MOVED that the WPCA approve the minutes of the regular meeting of May 27, 2015 subject to corrections, additions, deletions.

Corrections: 5a. - should read "Chairman Pelton stated that the letter has been **received.**"

5b. The motion did not have a "second". Chairman Pelton restated the motion as follows:

MOTION by Mr. Pelton; seconded by Mr. Carroll.

MOVED that the WPCA develop a regulation to manage high water users who do not discharge sufficient quantities of water into the sewer system.

VOTE The motion passed to approve the corrected minutes was passed
unanimously by those present.

8. ADJOURNMENT

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

MOVED to adjourn the meeting at 8:55 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk