

**MINUTES OF THE TOWN OF CHESHIRE WATER POLLUTION CONTROL  
AUTHORITY REGULAR MEETING HELD ON WEDNESDAY, AUGUST 26, 2015 AT  
7:30 P.M. IN COUNCIL CHAMBERS, 84 SOUTH MAIN STREET, CHESHIRE  
CT 06410.**

Present

Chairman Tim Pelton; John Perrotti, Vice Chairman; Matthew Bowman, Steve Carroll,  
Tom Scannell

Absent: Mark Kasinskas and Ken Cianci

Staff: Walter Gancarz, Town Engineer

Guest: Don Chelton, AECOM

**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**

**a. Eversource proposal dated July 7, 2015**

Mr. Gancarz informed the Authority members that some of the new equipment at the treatment plant qualified for energy efficiency rebates, i.e. the aeration blowers. A letter of agreement with Eversource was received for a \$205,175.05 rebate. When the work is completed and inspection takes place, the Town will receive the payment, which is expected in November or December.

A letter from Town Manager Milone to the Cheshire State Legislators regarding the Town's claim pending before the State Claims Commission was reviewed by Mr. Gancarz. The letter cites the State Attorney General's lack of concern and failure to file a Pre Disposition Memorandum on behalf of the DOC. The Town of Cheshire filed its Pre Disposition Memorandum as required.

**2. APPLICATIONS**

**a. Final Award - 676 West Main, The Nevar Company**

Ryan McEvoy, P.E. represented the applicant, the Nevar Company for a 5-lot residential subdivision at 676 West Main Street. He noted the feasibility application was approved three months ago. The site is located to the west of the Lutheran Church, across the street from Carter Lane, and to the west is Peck Lane. The property has two single family residential dwellings on one lot; it is a four acre lot; the proposal is to keep the two existing dwellings located to the south of the property on two separate lots, and add three new houses to the rear of the property towards the north. In the feasibility

application, it was proposed to maintain the existing laterals for the existing houses which connect to the existing West Main Street main, having a new sewer line running down the common rear lot access way, discharging into the existing 12 inch sewer line. There were some concerns about this configuration. The plans were revised with connection to the new sewer main into the existing manhole in the front of the property. Regarding the two existing laterals (built in the 1980's), a video taping was done and they were found, side by side, about 5 feet apart, in good condition. The rear most house connects directly into the manhole; the other house connects 5 feet to the west to the 12 inch main. The portion of the lateral no longer to be used will be abandoned to prevent leakage.

Mr. Gancarz has reviewed the revised plans which meet WPCA standards.

There are three additional lots, and based on the standard of 227 gallons per day per house, the total flow will be 1135 gallons per day.

Mr. Perrotti clarified that the applicant is establishing another manhole, tying into the existing manhole, and abandoning the existing lateral. From there everything is standard.

In his memo, Mr. Gancarz said one item is the front lot connected to the new manhole, and properly abandoning the existing lateral. As long as that is done he recommends approval.

Mr. Bowman commented on his dissatisfaction with the proposal which requires cutting across a front yard and prefers a connection tied into the main. He said future problems require digging up an entire front yard. He asked about running parallel to the main and then up the road to not cut across the front yard.

According to Mr. McEvoy there will be cutting across the front lawn. It's a question of scale, and the work will be about 15 to 20 feet into the property. The applicant is not concerned about any of this layout.

There is an existing connection point, and Mr. Gancarz prefers this rather than breaking into the sewer and creating a new manhole.

Mr. Bowman stated this is wrong, but if the Town Engineer is okay with it, he will go along with it.

MOTION by Mr. Pelton; seconded by Mr. Perrotti.

MOVED that the Cheshire WPCA has reviewed the application and submittals for 676 West Main Street, the Nevar Company, 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.

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. Additional conditions required by the WPCA and outlined in the 8/19/15 memo From Town Engineer, Walter Gancarz, P.E.

VOTE The motion passed unanimously by those present.

### 3. PROJECTS

**a. AECOM invoice #26 dated August 2015 in the amount of \$106,819.23**  
Mr. Gancarz distributed copies of his monthly summary sheet, and reviewed tracking information with the Authority members.

Consultant is over budget due to the amount of time devoted to the PCB remediation.

Site Trips are running below budget.

Shop Drawings ran substantially beyond budget; should be completing these.

RFI - with 94% completion of the project, RFI's is reduced.

Change Orders Review and Process have a good balance in place; at this point in time fewer change orders left.

Overall, with the exception of time spent on the PCB work there is confidence a number of items will offset each other assuming there continues to be good progress and completion in a timely manner.

Resident Engineer has \$135,000 left.

Mr. Gancarz recommends approval of the invoice.

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

MOVED to approve AECOM invoice #26 J60299969 dated August 2015 in the amount of \$106,819.23.

VOTE The motion passed unanimously by those present.

Mr. Chelton stated AECOM gave WPCA the projected cost to complete in June. At that time if the contractor finished on time there would, probably, be an adjustment equal to the cost of the PCB work. He is uncertain about how much earlier Carlin will finish; the completion date is November; and it looks as if we will be closer to that date. It is hoped the substantially complete date will be the end of October, and when you get to this time, there is the punch list item. The resident engineer will be on site through the day of completion.

It was clarified by Mr. Gancarz that if the project runs to completion, 25 months, there will be an adjustment which is about the cost of the PCB remediation.

Stating that is correct, Mr. Chelton said it would be very close.

**b. Carlin Contracting Co. pay estimate #21 dated August 2015 in the amount of \$647,408.06**

Mr. Gancarz stated 92% of the project is done right now. Contingency is about \$129,000, and this includes going ahead with the belt filter press, which will be disassembled the week of September 14th.

Summary Page 3 - \$496,000 spent to date; estimate \$105,000 to bring this to conclusion; total cost of \$602,000.

Belt Filter Press cost is about \$220,000 due to a reduction in cost for shop drawings.

Mr. Gancarz reviewed "Superintendent's Report" at this point in the meeting. He informed the Authority that much has been done in the last month; much time spent in the influent pump station; new grinder installed; lots of work done in the channels along with lots of electrical work; work has been done on the sludge system and pumping system, digesters, aeration system, getting blowers on line, and Operations Building is occupied now. Paving is done with hydro-seeding on September 14th.

Mr. Gancarz recommended payment of the invoice.

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

MOVED to approve Carlin Contracting Co. pay estimate #21 dated August 2015 in the amount of \$647,408.06.

VOTE The motion passed unanimously by those present.

**C. Carlin Contracting Co. Change Order #18 in the amount of \$26,089.03**

Mr. Gancarz informed the Authority these items came up in piping and miscellaneous small items bundled together. Two automatic samplers were added, with an existing sampler being moved, with work associated with this. He recommends payment of the invoice.

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

MOVED to approve Carlin Contracting Co. Change Order #18 dated August 2015 in the amount of \$26,089.03

VOTE The motion passed unanimously by those present.

#### **4. SUPERINTENDENT'S REPORT**

##### **a. Update on Construction Progress**

Mr. Gancarz explained there are many electricians on site; there continues to be an interface with Apex and the contractor; technology is a key issue with Apex tying everything in to insure there is communication and insurance remote alarms work. The invoices are significantly less because the cost is labor, not large equipment.

#### **5. TOWN ENGINEER'S REPORT**

Mr. Gancarz informed the Authority on a meeting at the Cook Hill Pump Station, and \$119,000 remaining from the Elim Park grant. All the station parts are being looked at to be separated out and get built between now and next year. In the next capital expenditure plan (CEP) it will be known how much is left to be done, with an appropriation request to complete this work.

Capital Expenditure Plan - Mr. Gancarz explained that the Town Council deferred the West Johnson Avenue Pump Station project to next year. There were two \$3 million projects - East Johnson Avenue Bridge and West Johnson Avenue Pump Station. The bridge project has a commitment of 80% funding because it is a Federal A bridge, and with this funding already in hand vs. the possibility of 20% CWF for the pump station. This was a deciding factor for the Town Council.

Chairman Pelton stated he spoke with Councilor Schrumm, and planted the seed that when and if money comes from the lawsuit against the State for the plant upgrade, the Council consider some of those funds for the West Johnson Avenue Pump Station. This is due to the understanding that the citizens of Cheshire paid for the WWTP upgrade, and covered the State's debt.

It was clarified by Mr. Gancarz that the Elim Park money is only for the Cook Hill Road Pump Station.

Cell Tower Progress - Mr. Gancarz understands this is in final design, and will be imminent in the next few months. If there is any damage to the road to the Administration Building, the company would pay for repairs.

#### **6. NEW BUSINESS**

##### **a. Letter from Chesprocott dated August 18, 2015**

Barbara Gigliotti will be the contact person for WPCA, and will do the data for the Authority.

**b. Letter from Maura Esposito, dated August 18, 2015**

Ms. Esposito's letter was in the packets, and she looks forward to working with WPCA.

**c. Letter from Fazzone, Ryan & Ricciuti LLC dated August 18, 2015.**

There was discussion about the letter from Attorney Fazzone as to clarity and interpretation. Mr. Gancarz commented on there being one water payment for 810 Mountain Road; a number of lots were subdivided off this property; and the Town expects each lot to pay an assessment, and not just the one lot.

Stating his disagreement, Mr. Bowman noted he deals with RWA, and has installed water main extensions in Town. When a developer extends a water main there is 10 years to recoup if anyone else ties into this water main, paying a share of the cost of the water main. With the Bardon Court matter, he said there is a main extension involved. If all the water services tied into the Town's water main, and ran to the rear with a meter wall system, there is half a chance of that being legal. The trustee paid the fee for the amount of frontage on the road; once the subdivision was approved the Town does not get a second chance. There was a water main extension paid by the developer, the Town has the ability to recoup the money they paid for the frontage of the property, but not put on a caveat four years later. The Town should not be looking to recoup \$4200 from each of the land owners. Mr. Bowman recommended this matter be tabled to the next meeting and it be reviewed by the Town Attorney.

Mr. Carroll stated this is like a deferred payment, and it is not yet made. He wants to know who paid what and how much was paid.

Mr. Gancarz said he thinks they are looking for the revised caveat to be removed. This is the first time he has dealt with such a situation.

Chairman Pelton commented on the Authority being charged with water, dealing with it three times in 20 years. He tabled the matter to the September meeting pending more information forthcoming to the WPCA.

The WPCA was informed by Mr. Chelton that the Authority was appointed "Water Commissioners" a while ago, and this was due to a need to levy water assessments, possibly in West Cheshire.

**7. OLD BUSINESS**

**a. Approval of Minutes: Regular Meeting held July 22, 2015.**

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

MOVED that the WPCA approve the minutes of the Regular Meeting of July 22, 2015 subject to corrections, additions, deletions.

VOTE           The motion passed 4-0-1; Pelton abstained.

**8. ADJOURNMENT**

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

MOVED to adjourn the meeting at 8:40 p.m.

VOTE        The motion passed unanimously by those present.

Attest:

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Marilyn W. Milton, Clerk