

**MINUTES OF THE TOWN OF CHESHIRE WATER POLLUTION CONTROL
AUTHORITY REGULAR MEETING HELD ON WEDNESDAY, FEBRUARY 24,
2016 IN COUNCIL CHAMBERS, TOWN HALL, 85 SOUTH MAIN STREET,
CHESHIRE CT 06410.**

Present

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

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 Perrotti read the emergency evacuation notice.

1. PUBLIC COMMUNICATIONS

2. APPLICATIONS

a. Feasibility Application for 10 Main Street, dated 2/11/16.

Darin Overton, P.E. Milone & MacBroom, represented the applicant, Cheshire Academy, 10 Main Street. Mr. Overton explained this application is for relocation of the Facilities Building on the campus which was ruined in a fire earlier in the year. The building will be relocated to the eastern part of the property, and the application is also for 13 houses for faculty at the location. The housing portion is in the second phase of the project, with the applicant wanting to receive feasibility for the sewers now. With the project there will be improvement of access out to Academy Road; improvement to the gravel driveway to extend it out; water main will be extended off Academy Road; and there are discussions ongoing with RWA. There is a small irrigation line serving the softball and baseball fields. The applicant plans to demolish what is left of the existing facilities building, and will rebuild the same sized building at the relocation site.

A profile was provided for understanding on how the line would connect in, and there is opportunity to connect to Honey Pot interceptor. On the plans, Mr. Overton pointed out the tie into the manhole on Hillside Village Property. In early 2000 there were plans for a connection, discussions were held with the village owners for an easement, and there was opposition to the plan. The applicant is now working to lock up this agreement, as it is the best place to make the connection, at the existing manhole at a higher elevation than the interceptor.

The plan is for 13 housing units with a flow using 227 gallons per day/total of 2951 gallons per day. From the prior Metcalf & Eddy memorandum on their work there was a flow allocation established of 8,400 gallons per day, set aside for Cheshire Academy.

The proposed allocation is 3,000 gallons per day less than this allocation. The applicant is seeking feasibility in order to proceed with PZC and IWW applications.

Mr. Gancarz reviewed the application, provided written comments to the WPCA, and there is no issue with the on-site sewer. The existing facilities building was across from Town Hall, and a month ago there was a fire that burned down the building. This building was connected to the sewer at Town Hall. The building will be demolished and relocated to the other end of the campus. At final design approval the applicant must insure the same sized building and service. It is a one for one, with no further assessment for the applicant, just for the 13 proposed housing units. The Town wants to see details in the final design of actual connection to Honey Pot interceptor, and there should be testing down to make sure this connection is tight. On the oil and water separator, Mr. Gancarz asked for the purpose of this.

The Authority members were told by Mr. Overton that this is a maintenance building, and he does not have any specific architectural plans for the building. It does show a trench drain out front; there will, likely, be floor drains in there; and an oil/water separator which will tie into the system.

Chairman Perrotti stated the WPCA will want proof of abandonment of the existing connection.

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

MOVED that the WPCA accepts the application for feasibility approval for Cheshire Academy addition, 10 Main Street, Cheshire CT, lot #298, based on the application submitted and the accompanying letter from the Town Engineer.

VOTE The motion passed unanimously by those present.

There was a brief discussion amongst the Authority members on who keeps track of the "allocation". Mr. Gancarz advised this is not tabulated anywhere. There is a difference between this and a moratorium which the Town had and tracked additional flows from different segments. These are the best estimate from an area, and Mr. Gancarz does not see it as an issue. In his experience on the WPCA and as Town Engineer, Mr. Gancarz said there has been minimal flow added.

Mr. Chelton said this is just the projected flow allowance from this site, that gets bundled together for total flow. It is not a specific allocation for any one property; it is used as a building block to come up with the total amount.

According to Mr. Pelton the WPCA looked at all the pieces and parts from around town, and Cheshire Academy did an estimate of future flows with everybody else. It was found that the plant did not need to be expanded but it needed to be upgraded...this was one piece of a large puzzle.

3. PROJECTS

Chairman Perrotti rearranged items b and c on the agenda.

a. AECOM invoice #37700184 dated 2/9/16 in the amount of \$52,317.25

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

MOVED that the WPCA approve invoice #37700184 dated 2/0/16 in the amount of \$52,317.25

Discussion

Mr. Gancarz has reviewed the invoice, and recommended the invoice for approval for work completed.

VOTE The motion passed unanimously by those present.

c. Change Order #22 for (\$26,824.63).

MOVED that the WPCA approve Change Order #22 for (\$26,824.63).

Discussion

Mr. Gancarz clarified the credit of \$26,824.63; the change order is a bookkeeping matter; item #9 in the change order, telephone utility allowance, is a credit of \$25,000; #10 electrical utility allowance was reduced from \$50,000 to \$14,466.18, with credit of \$35,000; laboratory equipment ran over to \$74,392.61 from \$50,000 which is a plus of \$24,000; #12 PCB testing increased by \$17,000; removal of PCB material from the Digestion Control Building was less than budgeted, and had a credit of \$54,767.84).

Total credit is \$26,824.63.

VOTE The motion passed unanimously by those present.

b. Carlin Contracting Co. pay estimate #27 dated 1/31/16 in the amount of \$615,286.39.

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

MOVED that the WPCA approve Carlin Contracting Co. pay estimate #27 in the Amount of \$615,286.39.

Discussion

Mr. Gancarz reported that the bulk of the amount is release of the retainage; last month #26 was total retainage of \$567,193.07; the project has reached substantial completion and this is release of funds. Out of the items listed is \$82,700 total retainage, and this is incorrect...it is the list of detailed items (on the last few pages). The largest one is \$35,000 for outstanding SCADA programming instrumentation.

Substantial completion was achieved in November, but Mr. Chelton said the contractor just recently requested the payment.

Mr. Gancarz recommends approval of the invoice.

VOTE The motion passed unanimously by those present.

d. Contingency Status as of 2/17/16

Town Engineer Gancarz reported that the summary sheet shows estimated \$18,557 contingency amount, and this will be +/- next month. The SCADA work will not be done until mid-March; it has dragged out part time inspection. On a positive standpoint, additional contractor change orders will be minimal; some of the items being carried as extra are no longer indicated as such; the report will be updated next month.

AECOM did give a projected "cost to complete" in December, and Mr. Chelton said there is an additional \$170,000 estimate for work. These were estimated on construction phase work completed at the end of January, but things have continued to move along, were not finished, and additional costs have been incurred. There will be an amendment to the contract for the meeting next month.

The issue of problems with SCADA system was raised by Chairman Perrotti who asked for a status report.

In response, Mr. Chelton said they just started the formal disc filter performance test today. The next big thing is the digester start-up, and this process will take some time.

4. Superintendent's Report.

a. Update on construction progress

The Authority members were advised by Mr. Gancarz that Supt. Dievert is recuperating from his first knee surgery, is back at work since January, but has had some additional medical issues. Supt. Dievert will be at the plant until April 22nd when he has his second knee surgery.

Mr. Gancarz reported on the prove out period for the disc filters, which is a complicated process, and has been delayed a bit. There have been problems with the chem scan unit, which have been straightened out; problem with a leak in the line is taken care of; SCADA had to be straightened out. He believes everything will go well, and it is now just tweaking the system. There is a two week prove out period, and then Supt. Dievert will start up the digesters which are in good shape. Punch list items are what the contractor is working on now, with part time inspection services. Out of the \$615,286 invoice, everything but \$50,000 was retainage. There are not many people working at the site. The rehab belt is working well.

5. Town Engineer's Report.

a. CCI Claims Commission

Regarding the lawsuit against the State, Mr. Gancarz distributed copies of the Memorandum of Decision from Claims Commissioner Vance. The "decision" cites inaccurate metering at CCI resulting in under payment over 8 years, resulting in higher flow that required Cheshire to hit the 90% of capacity earlier than expected, triggering the plant update.

The Claims Commissioner had some choices. #1...Cheshire did not have a valid case, cannot sue the State. #2...concur that Cheshire had valid reasons to sue the State, and the Commissioner agreed with that. It would have been better if a set payment amount had been stated by the Commissioner...but this was not stated. Since the Commissioner ruled in favor of the Town of Cheshire, the DOC can enter into negotiations for settlement; the State Legislature could set an amount and authorize payment to the Town; or this can continue, go back to court, and be pursued. If the legislature does not authorize the amount, or DOC does not negotiate a settlement, the matter defaults to the courts for a decision on the amount to be paid to Cheshire.

Rep. Fritz is aware of the Claims Commissioner decision, and is disappointed that no monetary amount was identified.

Mr. Carroll stated his belief that this is a decision which must be made by the State Legislature or the DOC will continue to ignore Cheshire.

According to Mr. Gancarz, the Town will continue, through Mr. Milone, to press that this matter be addressed during the current legislative session.

6. New Business

a. Chesprocott Report for January 2016.

The report was reviewed and accepted.

Chairman Perrotti commented on the upgrade of the plant coming to its conclusion, running more efficiently with new equipment, and the need for the WPCA to get back to its education program for the sump pumps. He noted that the State of Massachusetts has a requirement for municipalities to have an I&I program. He wonders if Connecticut will have such a program being pushed down to municipalities.

The Authority was advised by Mr. Chelton that the new law requires Massachusetts municipalities to perform an I&I study by December 31, 2017. If a municipality is already into the next phase of the work...sewer system evaluation survey...it indicates a municipality is working towards the I&I study requirement to control the flows.

Mr. Carroll reported on his research on an ordinance, and in the Town Charter the WPCA has the ability to penalize anyone hooked up to the sewer system illegally or not following the regulations. The fine is \$10 minimum per day to \$100 per day. There is no specific ordinance regarding sump pumps, but there are many ordinances out there for review, making it easier for homeowners to remediate these issues. Mr. Carroll further stated that the real estate market has no requirement, when a home changes

owners, to do a home inspection. There is no procedure in place for attaching an ordinance to a home inspection. Mr. Carroll stated better education is an important tool for the homeowner.

Mr. Chelton explained that in Plymouth MA, which has a very long forced main about 15 years old, there have been multiple catastrophic failures since December 2015. The pipe is paper-thin. He noted that when tv inspections were done in Cheshire about 10 years ago, it was found that a piece of pipe on the receiving end of the forced main from the Elmwood pump station was showing the steel reinforcement. This pipe is about 50 years old, and at a point of being susceptible to corrosion; was not in good shape 10 years ago; and WPCA should begin another look at this pipe. If it fails, it is a major fail, because it handles 2/3rds of the flow in town.

Mr. Gancarz said he will take a look at this pipe and report to the WPCA.

The longest forced main is Richmond Glen, and Mr. Pelton said the homeowners had to be informed they were on a forced main and responsible for the backup generator to run all that. He asked if these codicils were deeded on the land records.

Mr. Chelton said this is different...those are grinder pumps.

Regarding the sump pumps, Mr. Perrotti said there was a committee involved, and in the spring season it may be time to re-emphasize this situation. A new committee can be formed to review and develop recommendations.

During the property revaluation process, Mr. Carroll said there was an accurate listing of properties with sump pumps, and these should be the first homes targeted.

PUBLIC COMMENTS/QUESTIONS

Robert Arnold, 281 North Brooksvale Road, addressed the Authority on his problem with a white film in his water for a few years, which is public water, not well water. He asked for assistance with this water problem from the WPCA.

Mr. Gancarz explained that Cheshire does not supply the water...the Regional Water Authority, located on Sergeant Drive in New Haven CT, supplies the public water. He said RWA does lots of testing, and recommended Mr. Arnold contact the RWA and bring the ongoing issue to their attention...and RWA is very receptive to concerns and issues with the public water.

Cook Hill Pump Station - for the minor extension needed at this station, 7'x13', Mr. Gancarz said the Town was ready to use the Elim Park funds for the work. A building permit is required by PZC, and it was found that a pump station is a non-conforming use for the zone as there is not enough land for the zone. The Planning Department was helpful, and Town Planner Voelker tried to get the Town Council to exempt all pump stations from the zoning regulations. The matter went before the Town Council, and

there is willingness to act on the Cook Hill pump station, but not to grant a blanket approval for all pump stations.

An inquiry was made to find out if pump stations are exempt from zoning regulations, but Mr. Gancarz could not determine this was the case. It is expected the Council will approve exemption for the Cook Hill Pump Station from the regulations. For the West Johnson pump station there is no footprint change, so there should not be an issue. Mr. Gancarz would like a blanket approval for exemption for all pump stations. The major concern was with any new pump station short circuiting the process.

East Johnson Avenue Bridge - the work on the bridge starts in May; the project goes out to bid in early March; the Town is working with homeowners and business owners regarding the project. One DEEP condition is the long eared bat during tree cutting which cannot be affected by the project work.

7. Old Business.

a. Approval of Minutes: Regular Meeting held January 27, 2016

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

MOVED that the WPCA approves the minutes of the Regular Meeting of January 27, 2016, subject to corrections, additions, deletions.

Correction page 3 - #5...TOWN ENGINEER'S REPORT (delete "A")
VOTE The motion passed unanimously by those present.

8. ADJOURNMENT

MOTION by; seconded by

MOVED to adjourn the meeting at

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk