Present
John Attwood, Chairman; Tim Pelton, Vice Chairman; Walter Cancarz, Steve Eberle, Mark Korman, Tom Scannell, Mark Witek. Attorney Andrew Lord.
Staff: Dennis Dievert, WWTP Superintendent
Guest: David Schrumm, Vice Chairman, Cheshire Town Council; Don Chelton, AECOM; Mariusz D. Jedrychowski, Wright-Pierce.

1. ROLL CALL
Roll was called and a quorum was determined to be present.

Mr. Pelton read the emergency evacuation notice.

2. PLEDGE OF ALLEGIANCE
The group Pledged Allegiance to the Flag.

3. REGULAR MONTHLY MEETING

1. Public Communications

There was a brief discussion with Attorney Lord on this lawsuit. Mr. Lord explained that there was a 1st lawsuit against the WPCA which should be moot at this point because the Authority took subsequent action to approve the application. But, this lawsuit has not yet been withdrawn. There is a settlement conference scheduled for August 30th. He reported that this is the 2nd lawsuit which involves the WPCA’s decision on the Facilities Plan not to have the Brodach property included as an area to be sewered. The matter will be discussed further in executive session.

2. APPLICATIONS

a. 1151 South Main Street
   Mixed Use Development Application for Feasibility Approval Plans, dated 7/19/10.

Ryan McAvoy, P.E. Milone and MacBroom, represented the applicant, Cheshire Development Company, to obtain feasibility approval for extension of sewers into a single parcel at 1151 South Main Street. This parcel is bordered by South Main Street to the east; King Road to the west; and is just north of where King Road intersects with South Main Street. To the north of the lot is the Cheshire Fire Department station. To the east is a private residential development; to the
west is a single family residential development; and to the south is one commercial property. There are sewers available in King Road and South Main Street.

At the present time, the existing parcel contains one house (shown in light beige on the map) towards Route 10, old Cape Cod style house, which had been used for professional offices. The house is un-sewered with a lateral extended when the sewer main was put in Route 10. It is on septic, but the location of the system on the lot is unknown, but is probably in the rear of the lot. The driveway comes through the lot with a parking area in the rear of the building.

The proposal is to add two more buildings to the property, maintaining the existing building as a professional office, with the two new buildings being mixed use. The lower floor will be medical offices, and the upper floor will be a single residential unit. The footprint of the building is 1800 sq. ft. The applicant proposes to take all three buildings and connect them into a new 8 inch sewer line which will tap into the existing line in King Road. It is estimated that 1000 gallons will be used for all three buildings. Each living unit will use 150 gallons per day, for a total of 300 gallons; the professional units will use 150 gallons per day; and the medical offices will generate about 600 gallons per day.

This application is now in front of the Planning and Zoning Commission, but does not require IWW approval because there are no wetlands on the property.

In response to a question about sump pumps in the existing home, Mr. McAvoy said he does not believe there is one. Test pits were done. He will check into the sump pump issue and advise.

Mr. Attwood asked if there were set standards on the number of gallons per day for special uses, noting that in medical offices people use bathrooms more often than normal.

Stating he was not sure of the standards, Mr. Dievert advised that the calculations on gallons per day is within the existing Facilities First Plan, and it is considered in-fill. The staff had questions based on the diagram with respect to whether the line from the manhole to King Street would be a private or an easement with the Town. This is a WPCA decision. He asked where Mr. McAvoy got the 1.1 per square foot.

Mr. Chelton stated there are many textbook numbers on different uses, and he is not sure if doctor’s offices are listed. He will check and advise.

Mr. McAvoy said the health codes separates it out by medical office, accounting office, etc. and the estimation from the health code is double the sewage generation for a medical office. There are other sources for flow information. The health code is a conservative estimate.
Stating his agreement with Mr. McAvoy’s comments, Mr. Chelton said the health code is more conservative based on flows to septic systems.

Mr. Witek asked about where the overflow from the storm drainage will go. There is also a dry well without an outlet if it exceeds capacity, going to Route 10.

Under existing conditions the drainage on the site goes to low spots on the property and Mr. McAvoy said it infiltrates. Testing was done and existing soil conditions indicate a large amount of gravel and cobbles, 4 to 8 feet down. The applicant is proposing to infiltrate storm water from the driveways. There are a series of dry wells and catch basins that will be headed towards an underground infiltration network with an overflow to King Road. There is an overflow pipe to existing low areas. The applicant looked at existing runoff under current conditions versus the volume under proposed conditions, and has designed the volume of infiltration galleries, dry wells, structures, to accommodate that increase in volume.

Mr. Witek wants to be sure there are no sump pumps, that there is positive drainage from the homes so there is no need for a sump pump in the future. We want to insure no storm water is getting into the sanitary system. A stipulation would be If there is a pump, it must be disconnected and put into the infiltration system.

Mr. Dievert advised that this lot falls into the conservation area of the Facilities Plan, and is within the in-fill part of the Plan. There is a lateral from Route 10 and it will run to a manhole out to King Road which is the better way to go.

According to Mr. McAvoy the Route 10 sewer is on the east side of the road, so the tie in will to King Road.

This property did have an assessment, and Mr. Dievert said this will be looked into further regarding a capacity fee. The existing building never tied into the sewer system.

If it has been assessed, then Mr. Attwood said the other two buildings will get capacity fees.

Mr. Korman asked if the existing building is on well or water.

Mr. McAvoy advised it is on water.

Going forward, Mr. Chelton said the WPCA should use the Facilities Plan, which has been adopted, as the guiding document, not the C&D map. The subject property is considered existing sewered property, under the category of in-fill.
Mr. Cancarz asked if the 8 foot pipe was public or private.

Mr. McAvoy said this is the decision of the WPCA.

The WPCA was advised by Mr. Dievert that if it is considered Town owned, an easement is needed, and if private the question is, will it be maintained. He has looked at the site and plans, and does not see a problem with allowing an easement, and letting the Town maintain the line from that manhole to the existing line on King Road. This is a decision of the WPCA.

Mr. Attwood said his view is that the Town should get an easement with the responsibility for maintenance on the property owner. If the Town has to go in, the owner will receive a bill.

Historically, Mr. Chelton said the Town has always treated these as public sewers as part of the public system.

MOTION by Mr. Cancarz; seconded by Mr. Pelton.

The approval motion was read into the record. Section #4 was cited to read as follows: 1151 South Main Street, Mixed Use Development, July 19, 2010.

Copy of the motion is attached to the minutes.

VOTE The motion passed unanimously by those present.

3. REPORTS FROM CHAIRMAN/STAFF

   a. Mixville Pump Station – Project Progress Schedule.

Mariusz Jedrychowski informed the Authority that the project is going well; everything is installed and working well; electrical equipment installed in July. In August the contractor installed the vent pipe for the wet well, new fuel lines for the generator, ladder for access to the can, submitted shop drawings. The pumps have been delayed by the manufacturers and will be delivered by the end of September, with the pump station scheduled to start in mid-November. It is not expected there will be any further delays.

Mr. Attwood commented on the difference between schedule revision and reschedule.

Mr. Jedrychowski stated that the schedule was modified, and this was not working. The contractor was told to do the work schedule so it is easy to understand. It is expected the project will be on budget, not over, but he can try to get it under.
The problem at the Mixville pump station was explained by Mr. Dievert when the generator failed. There was notification to the engineer who notified the contractor, and there was expeditious installation and operation of a new generator. A piece of associated equipment was lost that operates the control system for the pumps. Thanks to the town’s electrician the problem was solved with this back up and running.

Mr. Dievert commented on the fact that the important thing to note is that if the pump station were not in the process of being upgraded, this would have been serious trouble. He informed the Town Council at the CEP meeting on the need to continue to address the pump stations, getting them designed and on the table.

Mr. Eberle commented on the preliminary progress schedule, and asked where the pump is actually specified, and the original due date for this pump.

The original due date was August, and Mr. Jedrychowski said it is delayed by a month.

Mr. Eberle said this should be put on the schedule for explanation purposes.

According to Mr. Dievert the problem is the discharge of the pump. The manufacturer did make the pump custom made because of the age of the pump station. They had to adjust the manufacturing to make the discharge side of this pump. There were some of the same problems with the Lilac pump station.

Approval of Wright Pierce Invoice #72554 dated August 9, 2010
In the amount of $6,201.01.

MOTION by Mr. Attwood; seconded by Mr. Witek.

MOVED that the WPCA approve Invoice #72554 dated August 9, 2010 In the amount of $6,201.01.

VOTE The motion passed unanimously by those present.

Approval of Xenelis Construction Co. – Application of Payment #6 Dated to 7/31/10 in the amount of $81,334.25.

MOTION by Mr. Attwood; seconded by Mr. Witek.

MOVED that the WPCA approve Payment #6 Dated to 7/31/10 in the amount of $81,334.25.

VOTE The motion passed unanimously by those present.
b. Facilities Plan Update and Project Progress Schedule from AECOM – Approval of AECOM invoice #7084579 dated 8/16/10 in the amount of $2,271.01.

Mr. Chelton did not have much to report, with Phase #1 still waiting for something from DEP.

MOTION by Mr. Attwood; seconded by Mr. Witek.

MOVED that the WPCA approve the AECOM invoice #7084579 dated 8/16/10 in the amount of $2,271.01.

VOTE The motion passed unanimously by those present.

c. WPCD Influent Pump Station.

Mr. Chelton reported that C.H. Nickerson Co. is still in the shop drawing stage; pumps have been approved; and they are on order. There was a minor mobilization to the site to do some test pits to expose some existing pipes to be connected to make determination on how the connections would be done. There is no definite schedule as to when the work will be completed. This has been requested and as soon as it is received, it will be forwarded to the WPCA.

Mr. Attwood commented on the fact that the Wright Pierce invoices are 30 day net payments, and he urged Councilor Schrumm to inform the Town that this is risky with the WPCA. If payment is not paid, there are penalties incurred.

Approval of AECOM invoice #7084576 dated 8/16/10 in the Amount of $5,641.30.

MOTION by Mr. Attwood; seconded by Mr. Witek.

MOVED that the WPCA approve the AECOM invoice #7084576 dated 8/16/10 in the Amount of $5,641.30.

VOTE The motion passed unanimously by those present.

Approval of C.H. Nickerson Co. – Application of Payment #2 Dated 7/31/10 in the amount of $8,075.00.

MOTION by Mr. Attwood; seconded by Mr. Scannell.

MOVED that the WPCA approve the C.H. Nickerson Co. payment #2 in the amount of $8,075.00 dated 7/31/10.

VOTE The motion passed unanimously by those present.
d. **WPCA Plant Upgrade Design – Responses to RFQ to be received on 8/25/10 and distributed at meeting.**

Mr. Pelton informed the Authority members that they had a stack of material which came in from five vendors who have submitted a response to the RFQ. The clock is running on the design of the plant, and he suggested a date in mid-September for the review of these responses. He asked that the Authority members do their homework in reviewing the documents, so the decision can be expedited with selection of a vendor.

The special meeting was scheduled for September 8th, at 7:00 p.m. in Town Hall.

Questions or comments on the documents can be referred to Mr. Dievert or Mr. Pelton, and they will become part of the meeting discussion. At this time, staff has not had time to review the information since it was received at 4 p.m. deadline today.

Mr. Dievert informed the Authority that he has a conflict of interest with Wright Pierce because his son works for this company.

Mr. Witek suggested that a list of criteria and ratings of each vendor be compiled for discussion, and then have a summary for discussion at the special meeting.

Mr. Pelton and Mr. Witek will get together and put together a criteria list from which all members can work, with areas for questions, addendums, etc.

e. **I&I Program – Interceptor Manhole Rehabilitation – Warranty Period – Approval of AECOM invoice #7084575 dated 8/16/10 in the amount of $6,651.88.**

Mr. Chelton stated that last month he informed the Authority that there were some manholes needing repairs, and these repairs were made. He is waiting for the balance of the warranty period.

MOTION by Mr. Attwood; seconded by Mr. Witek.

MOVED that the WPCA approve the AECOM invoice #7084575 dated 8/16/10 in the amount of $6,651.88.

VOTE The motion passed unanimously by those present.

f. **Sanitary Sewer Extension project – Applewood Dr. & Riverside Dr. area – update from Superintendent.**

Mr. Dievert reported there was a pre-construction meeting last week, and the company is ready to start milling the road and getting ready for the project by September 1st. New engineering technician, Don Nolte, will be working with the Assistant Superintendent Hallier on construction, keeping a log, etc. There was
a question from one resident, with copy to Mr. Attwood, and Authority members will be forwarded a copy of this e-mail.

At the CEP meeting of the Town Council, Mr. Attwood said that Mr. Dievert presented a wonderful graph, and he asked that all members receive a copy of this graph.

g. Superintendent Report – Update from Superintendent.
Mr. Dievert stated that the WPCA should take credit for its decision and foresight to do the manhole rehabilitation project. He would like this chart e-mailed to The Cheshire Herald along with a narrative on the manhole rehab work, informing residents that the money was well spent and it has provided a great service to the Town and the treatment plant. Mr. Attwood and Mr. Pelton will work with Mr. Dievert in compiling the narrative to go with the chart for publication.

Mr. Dievert thanked Mr. Chelton and Mr. Pelton for their assistance in developing the chart.

It was explained by Mr. Attwood that the chart illustrates the peak flows under a large rainfall from the 2006 storm before the manhole rehab work, and the 2010 storm after the manhole work.

Mr. Dievert noted that there was no surcharge out of any manhole in the 2010 storm.

Mr. Pelton commented on CCI flow being over the top, and that something is going on. This is a situation to be monitored.

Mr. Dievert believes the CCI situation could be a meter problem. He has contacted the facilities manager of CCI, but nothing has been done. This may be the opportunity for the DOC to pay more money to the town.

Mr. Attwood discussed consideration of zero flow urinals in the schools when they are being replaced. The WPCA should create a liaison with the BOE on the value of zero flow urinals in future development plans for the school.

i. Sump Pumps.
This will be discussed at a future meeting.

Councilor Schrumm informed the Authority members that during the CEP discussions, the Cook Hill Road Pump Station design plan has been moved to the first year of the CEP. Therefore, the FY 2010-11 CEP will include $180,000 for the West Johnson Avenue design plan and $120,000 for the Cook Hill Road design plan, for a total of $300,000. There is some money left over in the initial I&I allocation, and the WPCA could use this money to go after the sump pumps.
This is an issue that could be in the Cheshire Herald for public information.

Mr. Attwood said some steps need to be taken in order to be effective, and one is addressing fines. The fine is $100 for a sump pump violation. The existing regulations should be looked at. He asked if town inspectors are giving feedback on whether or not they are looking for sump pumps and if any were found. There has not been a report from the inspectors to date.

This has been discussed by Mr. Dievert and Town Manager Milone. Mr. Dievert said in FY 2011-12 there will be a revaluation of properties in Town, and part of the contract will be for the inspectors to look for sump pumps.

Mr. Attwood suggested looking at rules which exist in other towns with respect to plumbers who install illegal sump pumps in homes, and punishments which exist.

The Authority was reminded by Mr. Chelton that a few years ago a small information booklet was handed out on what other communities were doing, and this was incorporated into one of the phases of the Facilities Plan. This would provide information on what other communities are doing. In Waltham, MA, the city is under orders to get sump pumps off their system, and is offering an amnesty program. He will bring newspaper articles on this program to the next meeting.

Attorney Lord said he would research violations and fines for sump pumps and provide the information to the Authority members.

j. Application Forms – Discuss having terms and conditions added to the rear of the application forms.

Mr. Attwood said it makes sense to include the actual motion with the documents, so the applicant knows what is going on, and can bring questions forward, if necessary.

Mr. Pelton said it works and looks more professional for the Authority when the rules are read into the record as part of the application. It is a formal declaration of a motion.

MOTION by Mr. Pelton; seconded by Mr. Attwood.

MOVED that the terms and conditions be added to the application forms.

VOTE The motion passed unanimously by those present.

Mr. Attwood noted the boxes on the last form, and suggested adding another box which says “The application conforms to the Facilities Plan.”
Mr. Pelton said the development can be identified by lot number, i.e. G-2, which is line with the Facilities Plan. In the future this will allow clarification.

MOTION by Mr. Attwood; seconded by Mr. Pelton.

MOVED that the form with boxes include the statement that “The application conforms to the Facilities Plan” with inclusion of the lot number.

Following a brief discussion, the motion was withdrawn.

Mr. Dievert and Mr. Lord will work on development of the new box for the forms.

5. **New Business**
   None.

6. **Old Business**
   a. **Approval of Minutes**
      Regular Meeting dated July 28, 2010
      Special Meeting dated August 4, 2010.

MOTION by Mr. Korman; seconded by Mr. Witek.

MOVED to approve the minutes of July 28, 2010 subject to corrections, additions, deletions.

Corrections: Mr. Korman made the following corrections: page 3, “re-sale” should be “resale”; page 8, “re-schedule” should be “reschedule”.

VOTE The motion passed unanimously by those present.

Mr. Attwood commended Mrs. Koslowski, the clerk who transcribed the minutes, for a job well done.

MOTION by Mr. Witek seconded by Mr. Eberle.

MOVED to approve the minutes of August 4, 2010 subject to corrections, additions, deletions.

Corrections: Mr. Attwood commented on the large paragraph on page #1…the phrase “following day” and questioned if it should read “July 29th”, and asked if there was a need for clarification.

Mr. Pelton read it as meaning they came to Town Hall the next day.
Mr. Witek commented on page #2, para. #3, as being unclear about the number being done by tonnage or cubic yards. After a brief discussion, it was concluded that the clerk took the wording from the tape, and transcribed it verbatim. The paragraph was not changed.

VOTE The motion passed unanimously by those present.

Mr. Dievert said there were no failures, and there was one code compliance repair.

7. Possible Executive Session Pending litigation items.
Before the Authority went into executive session, Councilor Schrumm informed that that the sump pump issue requires an ordinance. Therefore, it must go before the Ordinance Review Committee of the Town Council, with an ordinance drafted by the Town Attorney. This could all be done by the end of December.

MOTION by Mr. Eberle; seconded by Mr. Witek.

MOVED that the WPCA enter Executive Session at 8:35 p.m. to include Attorney Lord and Mr. Dievert to discuss pending litigation, Brodach vs. Town of Cheshire.

VOTE The motion passed unanimously by those present.

MOTION by Mr. Eberle; seconded by Mr. Pelton

MOVED to exit Executive Session at 8:45 p.m.

VOTE The motion passed unanimously by those present.

There were no actions taken in Executive Session.

8. ADJOURNMENT

MOTION by Mr. Pelton; seconded by Scannell.

MOVED to adjourn the meeting at 8:46 p.m.

VOTE The motion passed unanimously by those present.

Attest:

___________________________________________________________________________
Marilyn W. Milton, Acting Clerk