Members Present:  Mr. John Attwood (Chairman)
               Mr. Steve Eberle
               Mr. Michael Solomon
               Mr. Mark Witek

Members Absent:  Mrs. Katherine Fabiani
                Mr. Mark Korman
                Mr. Richard Levy

Others Present:  Mr. Donald Chelton, Metcalf & Eddy
                 Mr. David Schrumm, Town Council Liaison
                 Mr. Dennis Dievert, Superintendent of the Waste Water Treatment Plant

Chairman Attwood called the meeting to order at 7:30 p.m. Roll was called and a quorum determined. The assembled group recited the Pledge of Allegiance. Mr. Attwood explained to the audience how to exit the chamber in the event of an emergency, in compliance with the Fire Marshal’s order.

ELECTION OF OFFICERS

Mr. Attwood informed the Authority that election of officers for Chairperson and Vice Chairperson must be made at this meeting. Mr. Eberle suggested that the election take place at the next meeting, because there would be two new members. Mr. Attwood responded that according to conversations with legal counsel, it has been determined that the elections must take place at this meeting.

There was no motion forthcoming from any Authority member regarding the election of officers.

PUBLIC CORRESPONDENCE

There was no one from the public wishing to address the Authority.

CORRESPONDENCE

Mr. Chelton addressed the Authority and stated that the letter from AECOM referred to in the packet relates to the priority list for the Clean Water Fund for fiscal year 2010 and 2011. This correspondence was discussed at last month’s meeting. The letter discussed was sent by AECOM to the DEP. The letter states that the Town is preparing an updated Facilities Plan to address the needs of the collection system and the Water Pollution
Control Plant for the next 20-year period. The project will be conducted in two phases. The first was initiated in 2005 and included the projection of future flows and an assessment of the existing plant capacity. A draft of that plan has been submitted to the DEP for review. Phase 2 will examine the condition of the existing plant equipment and structures, as well as anticipated changes in effluent limits. Alternatives for upgrading the plant will be identified and evaluated and a plant upgrade process will be recommended.

Other projects discussed in the letter include the Infiltration/Inflow Rehabilitation Project, the West Johnson Avenue Pump Station Rehabilitation Project and the Applewood/Country Club Riverside/Oxford Sanitary Sewer Project.

Mr. Eberle inquired about the $500,000 projected cost of the Inflow Rehabilitation Project. Mr. Chelton reminded Authority members that the number is only a placeholder, and further investigation needs to be conducted before a final estimate for the project can be presented.

In regard to a query from Mr. Eberle, Mr. Chelton stated that there is money remaining from Phase I of the Wastewater Treatment Plant project, which can be used towards Phase 2 of this project. Mr. Chelton informed the Authority that the DEP should be responding regarding the priority list for project reimbursement some time in March.

APPLICATIONS

1286 Summit Road – Final Design and Award of Capacity

Mr. Dievert informed the Authority that Town Attorney Andrew Lord has reviewed this application and has determined that the property was previously levied a $5,500 sewer assessment and a connection charge of $500. Since the applicant is proposing a three-lot subdivision on the property, which will be served by a private main extension, Attorney Lord has determined that each of the three new homes should be charged the $3,700 fee for sewer service.

In response to a query from Mr. Eberle, Mr. Dievert stated that the plans are official, and the applicant does want to move forward. He also commented that these plans were previously approved, but the project did not move forward and thus has been resubmitted. In response to Mr. Witek’s concern, Mr. Dievert stated that Mr. Michelangelo is in possession of the signed and stamped plans. There were no official plans in front of the Authority.

Mr. Dievert noted that there have been no changes to the plans in the last two years.

Mr. Witek moved that The Cheshire WPCA has reviewed the application and submittals of 1286 Summit Road 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 sewerage system which can be
constructed and used for sanitary sewerage purposes in accordance with requirements of the Cheshire Sewer Regulations and other applicable specifications, codes, and laws; therefore, the application is APPROVED.

This Final Design 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 inspection, observation, measurement, sampling, and testing.

6. The proposed sanitary sewer system shall become a part of the public sanitary sewer system.

7. 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 the 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.
Mr. Witek moved that The Cheshire WPCA has reviewed the application and submittals of 1286 Summit Road for an Award of Capacity. Based upon that review and based upon the recommendation of the Director of Public Works, the WPCA has determined that the application and submittals propose an award of capacity which meets the requirements of the Cheshire Sewer Regulations and other applicable specifications, codes, and laws; therefore, the application is APPROVED for 681 gallons per day.

This Approval is conditioned upon the following:

1. This Approval does not confer the right to connect to the sewer system. The right to connect to the sewer system can only be gained by applying for, and obtaining approval of, Feasibility Approval, Final Design Approval, and a Sanitary Sewer Connection Permit.

2. All costs connected with the proposed sewer system shall be borne by the developer.

3. The application and submittals are incorporated and made a part of this Approval.

4. The executed Developer’s Agreement, required by Section 12.4 of the Cheshire Sewer Regulations, shall be on file with the Director of Public Works.

5. This Approval shall expire two (2) years from the date of approval by the WPCA, unless an application for renewal is applied for not less than thirty (30) days prior to the expiration date, pursuant to Section 12.10.F of the Cheshire Sewer Regulations.

6. This approval is subject to payment of all other capacity fees for all three parcels, per WPCA Regulations.

The motion was seconded by Mr. Eberle and carried unanimously.

Mr. Dievert informed the Authority that this application has been withdrawn and will be resubmitted at a future meeting. There have been some issues relating to the design of the driveway.

REPORTS FROM CHAIRMAN/STAFF

Mixville Pump Station

Mr. John Braccio, architect for the Mixville Pump Station Project, informed the Authority that bids were opened on January 13. There were ten bids received and ranged as follows: The apparent low bid was from Xenelis Construction Co., of Middlefield
with a price of $412,730. The next lowest bid was from J. A. Rosa Construction LLC with a bid of $486,210 followed by Associated Construction Company at $552,960. The highest bidder was Gennarini Construction Co., at $829,878.

Mr. Braccio stated that the engineer’s cost estimate was $773,500 without contingencies and included 20% contractor’s overhead and 5% demolition costs. He further stated that the bidding results are reflective of the current poor economy. Mr. Braccio informed the Authority that the low bidder, Xenelis Construction Co., did not sign the Bid Bond, but he feels that this is just a technicality. Mr. Dievert stated that the bond has now been signed.

References have been checked and are positive. It appears that the reason that the bid is so low is because the firm is locally owned. They have completed work successfully for the Town in the past. It is also possible that the firm is desirous of keeping its employees working in this tough economy.

Mr. Attwood expressed concern that the low bid not result in change orders. It was noted that projects such as this carry the possibility of change orders, because there are so many unknowns with the original pump station. Mr. Attwood further commented that he would recommend retaining $300,000 so there is a reserve in case it becomes necessary. Mr. Attwood noted the importance of not having to request additional funds from the Town Council. If funds are remaining after completion, the money will be turned over to the Town. Mr. Braccio stated that he recommends accepting the low bid.

Mr. Solomon moved that the Water Pollution Control Authority approve the low bid of Xenelis Construction Company, Inc. in the amount of $412,730 for the Mixville Pump Station Upgrade Project. The motion was seconded by Mr. Eberle and carried unanimously.

In response to a query from the Authority, Mr. Braccio stated that completion time is 277 days.

Authority members discussed the fee proposal for construction administration and inspection services for the Mixville Sewer Pump Station Upgrade Project. The proposal details activities to be performed under this contract.

Mr. Michelangelo sent a memo to the Authority stating that he has reviewed the proposal, which includes services through design and bidding of the project. He informed the Authority that they can elect to utilize engineering services from a separate firm to provide construction administration and inspection. However, there are many efficiencies in utilizing the same firm that performed the design.

It was noted that Mr. Dievert has a conflict of interest relating to this project, which was disclosed prior to the start of the project, and has not and will not be involved with this project.
Mr. Eberle moved that the Water Pollution Control Authority approve the fee proposal of $45,000 from Wright-Pierce for construction/administration/engineering services related to the Mixville Pump Station Upgrade project. The motion was seconded by Mr. Solomon and carried unanimously.

Since there were some questions regarding the Wright Pierce invoice for final design, it was the consensus of the Authority to table action until the next meeting.

Facilities Plan Update Project

Mr. Chelton informed the Authority that he has heard from the DEP regarding the status of Phase I of the Facilities Plan. There is a new staff person reviewing the plan, and it is anticipated that comments will be received by mid March.

Mr. Chelton noted that his firm filed an application with the DEP for reimbursement for the Facilities Plan Project. DEP has informed the Town that there will be a reimbursement of $273,680, which will be in the form of a grant. Reimbursement does not apply to the $4,000 cost from AECOM relating to filing the request for reimbursement.

Mr. Chelton presented draft copies of Phase II of the Facilities Plan to Authority members for review. There is a great deal of detail in the plan, which he requested that members read to obtain a good understanding of the report. He recommended that a workshop be planned, as it will be necessary to discuss the plan in detail and develop a final program to be implemented.

Mr. Chelton noted that at the last meeting he stated that phosphorous removal would be 25% of the cost, but it has now been determined that it will be approximately 15% of the cost. He further commented that it appears that the DEP is setting phosphorous limits, which the EPA feels are not low enough. The EPA can challenge the DEP’s recommendations at a public hearing. The current limit is .2%. The process that will be designed to remove phosphorous can be an add on feature to the upgrade if the rate increases.

Mr. Chelton explained that the Town’s MDD permit expired in September. Mr. Dievert submitted an application for an extension in advance of the expiration date of the permit. The application has not been acted upon, so the Town can operate under the old permit. Once the application is accepted, the Town has four years to implement a new plan.

In response to a query from the Authority, Mr. Dievert stated that the priority list regarding funding reimbursement for the treatment upgrade is expected in March. Hopefully, it will remain to be a 20% loan with 2% interest. Mr. Chelton added that there is a possibility that it will change to a 30% loan. He further commented on the possibility of receiving funds from a new program, “Jobs for Main Street”, which could help with
the cost of the plant project. Mr. Chelton will look into funding issues and report his findings to the Authority.

Mr. Witek inquired as to whether this project could move forward as a design build project. Mr. Chelton responded that this is a local decision, but there is a possibility that the DEP may not participate in funding the project. Mr. Chelton noted the importance of moving forward with this project and making decisions accordingly. It was determined that a special meeting will take place on March 10.

WPCD Influent Pump Station

Mr. Chelton noted that the agreement with AECOM for technical services was approved at last month’s meeting, but needs to be signed. Mr. Chelton is recommending that the project be placed out to bid, hopefully before the next meeting.

I & I Program

There was nothing to report regarding this project.

Sump Pump Issues

Mr. Chelton informed the Authority that the issue of sump pumps in homes is addressed in the draft Facilities Plan.

Lilac Drive Pump Station

Mr. Chelton reported that the guarantee period for this project is complete.

Superintendent’s Report

Mr. Dievert informed the Authority that the primary digester cover has been fixed and put back in place. When the weather is better, staff will finish faceting down the cover. Costs for this work have been borne in-house.

Mr. Divert reported that the last severe rainstorm revealed that the new manholes did help immensely. This helps infiltration into the plant and shows the success of the manhole rehabilitation project. Mr. Dievert has pictures of the manholes in place during the storm. Mr. Attwood suggested that the success of the WPCA projects should be advertised to the public.

Chesprocott Letter

Mr. Dievert reported that all issues in the Chesprocott letter related to code compliance issues.
APPROVAL OF INVOICES

Mr. Attwood moved that the Water Pollution Control Authority approve invoice #7071198 from AECOM in the amount of $21,039.48, for services relating to Phase 2 of the Facilities Plan. The motion was seconded by Mr. Eberle and carried unanimously.

Mr. Attwood moved that the Water Pollution Control Authority approve invoice #7071199 from AECOM in the amount of $6,075.00, for services relating to the WPCP Influent Pump Station project. The motion was seconded by Mr. Eberle and carried unanimously.

OLD BUSINESS

Mr. Attwood stated his concern regarding the issue of sump pumps. He noted that inspections were done a couple of years ago, but a plan needs to be put in place to continue to address this issue. He suggested that the rules regarding sump pumps and the consequences need to be revisited.

Mr. Witik stated that the Public Works Department needs to look at this issue to determine what can be done when there is no option to a property owner using a sump pump, i.e., when there are no storm drains to accept the water. Mr. Attwood requested that staff put together a proposal as to how to address the sump pump issue. There needs to be a plan put in place to begin to resolve the situation. Mr. Attwood suggested a formal request for funds to address the sump pump issue.

NEW BUSINESS

Mr. Attwood informed the Authority that he presented the WPCA budget at the Town Council budget meeting. He reported that there were no issues regarding the Authority managing its budget and not taking on debt service. Mr. Attwood stated that the Authority can afford to make the ongoing project tracker list larger.

APPROVAL OF MINUTES

Mr. Eberle moved that the Water Pollution Control Authority approve the minutes of the regular monthly meeting of November 18, 2009, as presented, subject to correction. The motion was seconded by Mr. Witek and carried unanimously.

Mr. Eberle moved that the Water Pollution Control Authority approve the minutes of the regular monthly meeting of December 16, 2009, as presented, subject to correction. The motion was seconded by Mr. Witek and carried unanimously.
ADJOURNMENT

Mr. Witek moved that the Water Pollution Control Authority adjourn. The motion was seconded by Mr. Solomon and carried unanimously.

Respectfully submitted,

John Attwood, Chairman
Water Pollution Control Authority

Attest:

Susan F. Zwick

Distribution:

Members: W.P.C.A.
Michael Milone, Town Manager
David Schrumm, Town Council Liaison
Andrew Lord, Town Attorney
Donald Chelton/Jon Pearson, AECOM, Inc.
Joseph Michelangelo, Ex-Officio Member
George Noewatne, Operations Manager
Dennis Dievert, Superintendent WPCD
Susan Zwick, Recording Secretary