Water Pollution Control Authority  
September 22, 2010  
Regular Meeting  
Town Hall – Council Chambers

Members Present:  
Mr. John Attwood (Chairman)  
Mr. Steve Eberle  
Mr. Walter Gancarz  
Mr. Tim Pelton  
Mr. Mark Witek

Members Absent:  
Mr. Mark Korman  
Mr. Thomas Scannell

Others Present:  
Mr. Dennis Dievert, Superintendent, WPCD  
Mr. Donald Chelton, AECOM  
Mr. David Schrumm, Town Council Liaison  
Town Attorney Andrew Lord

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.

PUBLIC COMMUNICATIONS

Mr. Attwood noted receipt of correspondence from Mr. Darren Kilpatrick regarding the Applewood Drive sewer project. The correspondence questioned why the project is not on the land records, and why estimated costs are not presented at the beginning of the project.

Mr. Attwood referred to correspondence from Dawn Flohr detailing her disapproval of this project, stating that she does not have a problem with her septic system.

Mr. Darren Kilpatrick, 19 Applewood Drive, addressed the Authority and stated that he received a letter recently requesting information regarding the location of the lateral for the sewer to his property. He opined that the projected cost of $15,000 to property owners is excessive, as well as the additional cost to hook up to the sewers.

Mr. Kilpatrick stated that a previous homeowner on Applewood Drive was in favor of the installation of sewers on the street because he was expanding his home and wanted to add another kitchen. He questioned how that request could turn into this sewer project. He feels that the data does not support this project on Applewood Drive. He does not feel that there is any health issue with the septic systems on his street. His septic system was inspected before he bought his house two years ago and found to be adequate.
Mr. Kilpatrick also questioned what he will have to do to abandon his septic system if he connects to the sewer. He noted his concern that there was nothing in the land records about this project when he bought his home. He queried whether the Applewood Drive section of this project can be removed.

Mr. Kilpatrick stated that more communication should be forthcoming from the Authority to homeowners regarding sewer projects. Perhaps a Frequently asked Questions document should be sent to property owners. He noted that there has been nothing that he could find in the minutes regarding this project since 2008.

Mr. Pelton informed the audience of the history of the sewer projects and how they are administered. The major concern of the WPCA is public health. Decisions regarding sewer projects are also based on the history of problems in the area, soil conditions, engineering conditions and other matters of importance that relate to the area and the project.

Mr. Pelton advised that the land value of properties that are sewered increases when the sewer is installed in front of a property. Property owners are assessed for the sewer based upon the increased value to the property. At the end of the project, when all costs are known, the total cost is divided by the number of properties served. This number may be adjusted based on the benefit to the property.

Mr. Pelton stated that the assessment can be paid over the life of the bond, which is the number of years left on the bond after completion of the project. Mr. Pelton explained that another factor in the decision making process regarding a sewer project is how the sewer gets from one point to another. Sometimes that necessitates including properties which may not be experiencing difficulties. However, the property owner is still responsible for the assessment, because the property has benefited from the installation of the sewer in that the value of the property increases.

Mr. Eberle commented that the same issue happened to him personally, as a sewer was installed in front of his property shortly after he bought his property. He was assessed for the increase in value to his property, although he has not connected to the sewer. He further stated that the assessment will not be levied for at least two years. He reiterated that the charge of the WPCA is to protect the health of the community.

In response to a query, Mr. Michelangelo stated that project costs can not be set at this time as the project is based on unit prices, but it is estimated that the cost will be approximately $400,000. That figure could change based upon what the contractor discovers during construction, as was the case in the last sewer project where a great deal of ledge was uncovered. That increased the cost of the project.

Mr. Attwood commented that it is not the desire of the Authority to install sewers where they are not needed. He noted that there were public hearings held to discuss this project and the public was notified of those hearings. The Authority based its decision on all pertinent information, including public input.
Mr. Kilpatrick inquired as to why this project is not on the land records. Mr. Attwood responded that it is not within the purview of the Authority to do so.

It was noted that the interest rate on the assessment is based on the interest rate obtained by the Town for the bond.

Mr. Richard Tabor, 5 Applewood Drive, addressed the Authority and stated that he is a new homeowner in the area. His septic system was inspected when he bought his home and found to be in good condition. He questioned whether there are septic system failures on Applewood Drive. He stated that he understood the Authority’s position that sometimes an area is included because it is necessary in order to construct the sewer, but does not feel that those property owners who do not have problems with their septic system should pay for the sewers. Mr. Michelangelo commented that the Country Club Road area, which is in need of sewers, can not be constructed without going through Applewood Drive.

Mr. Tabor requested that comments from a previous homeowner pertaining to the installation of the sewer on his street be stricken from the record. Mr. Attwood requested that the audience remember that there are several reasons for sewer installation, and it is not the goal of the Authority to spend money on sewers if they are not necessary. Authority members reiterated their position that even if a property is not in need of sewers at the present time, the fact that the sewers are available is a benefit to the property.

Mr. Attwood referred to correspondence from Chesprocott stating that the Applewood Drive septic systems could not be replaced with code compliant septic systems. Thus if a failure occurs, it would be necessary for the property owner to connect to the Town sewer. He asked that the audience keep in mind that no one can predict when or whether a septic system will fail, but if it does, the opportunity to connect to the sewer is a benefit. It is a safety net if a failure does occur. Cost of replacing a septic system could be in the $20,000 - $25,000 range—if it can be done.

Mr. Joseph Marinaccio, Bridget’s Lane, addressed the Authority and stated that he believes that there are problems on Applewood Drive. He feels that the property owners should look at this project as a blessing. He is in favor of the project.

Mr. George Flohr, 8 Applewood Drive, addressed the Authority and stated that Applewood Drive is only a short leg of the project and he does not have any issues with his septic system. He commented that this project seems to be related to a former property owner on Applewood Drive who was in favor of sewers to benefit his desire to make renovations to his property.

In response to a query from Mr. Attwood, Mr. Michelangelo stated that in order to construct the project properly from engineering standpoint, Applewood Drive must be part of this project. The sewer is a gravity sewer and thus necessitates that route.
In response to a query from the audience regarding how the Town decides to sewer properties, Mr. Pelton explained that many factors are taken into consideration, which have been previously stated. He also noted that the Town has a 20 year plan to sewer areas of the Town that have been identified as needing sewers in the future. The Authority works very hard to plan for future sewer needs.

Linda Prairie, 18 Applewood Drive, stated that the Town was talking about this project back in 2007, and at that time the project was larger, and included Floral Lane. She inquired as to why that street was eliminated. She further stated that she did not receive the letter recently sent regarding property owners’ request for the location of the lateral to their property. Mr. Michelangelo apologized and stated that her name must have inadvertently been omitted from the mail merge. He assured that she will be placed on the mailing list in the future.

Mrs. Prairie commented that the letter from Chesprocott regarding septic system replacement only refers to one property. She also questioned the increase in the value of properties, and inquired as to whether today’s property values will be used to determine the benefit or the value at the time of the assessment. It was stated that the value can not be determined until after the project is complete, so it is at that time that the value will be calculated.

Mr. Attwood informed the audience that once the project is complete, and costs are determined, the assessment will be determined. Once that happens, there will be a public hearing and all property owners will be notified. At that time homeowners can speak for or against the assessment, and can give input regarding their opinions.

Mrs. Prairie stated that there was a pre-engineered septic system installed on Country Club Road, which seems to be at odds with correspondence from Chesprocott. Authority members stated that they could not speak to one individual situation, as that is not what the project is based upon.

Mr. Gancarz noted that there are situations where hardships can be considered and septic systems can be installed that are not code compliant. This occurs when there is no other method to correct the problem. Mr. Attwood requested that Mr. Michelangelo look into the situation regarding that specific property on Country Club Road.

Mrs. Prairie queried why property owners would be assessed if there was $400,000 allocated for this project. It was explained that the Town must have funds to pay for the project up front, but then seeks reimbursement from property owners who benefited from the sewer system.

Mr. Sheldon Pollack, Country Club Road, commented that information presented by the Authority has been very informative. He opined that the Chesprocott report regarding septic systems in the area may be inaccurate. He inquired as to whether the project would change if it was determined that the information was not accurate. It was noted
that the project was presented at a public hearing, approved by the WPCA, put out to bid, and now is in progress. There is no way to go back at this point in time. Mr. Pollack requested that the Authority hold Chesprocott to a higher standard. He further expressed concern regarding the appraisal proposal. He queried whether all 26 homes would be assessed the same amount. Mr. Attwood stated that the properties would all be assessed the same amount, as it would not be possible to determine exactly how much each individual property would benefit. In addition, trying to make that determination would be extremely costly.

Mr. Attwood further commented that the unknown factor is whether the septic system of any property will fail in the future, at which time that property would definitely benefit more from the sewer. Mr. Pollack was assured that once the assessment is determined that the property owners would have the opportunity to question the appraisal.

Town Attorney Lord explained to the audience the process which the Authority uses to determine the benefit assessment on the property. Mr. Pollack inquired as to whether the property owner will have the opportunity to obtain an assessment on their own. Mr. Attwood responded that the WPCA would entertain information from a different appraiser, and take that into consideration when the final assessment is levied.

Attorney Lord informed property owners that the assessment will be levied after the public hearing. If property owners disagree with the amount of the assessment they have the right of appeal to the Superior Court. Mr. Chelton offered that because of a court case in the past, the Authority does hire an appraiser to determine the benefit to the properties sewered.

Mr. Steve Owen, 397 Country Club Road, inquired about the process of determining where the lateral on his property should be placed and when that information needs to be conveyed to the Town. Mr. Michelangelo responded that the information will be necessary and 2-3 weeks as the project moves along. Mr. Chelton explained how the contractor installs a “y” connection and how it connects to the property. Two crews are in operation, one to lay the pipe and the second to extend the pipe to the sewer line. Records of each placement remain on file with the Town.

In response to a request for contractors available to do the work for homeowners, Mr. Michelangelo stated that he will make a list available of contractors who have done this work in the past. This is not a recommendation, but a list of available contractors. Mr. Owen inquired as to how far the lateral can be from the property line, and Mr. Michelangelo responded that it should be 10 ft. from the property line.

In response to a query about the assessment, the Authority stated that if the property owner chooses to pay the assessment over time, the payment is due yearly. The assessment can be prepaid at the time of assessment. The pipe which connects to the property sewer line an not be installed when the contractor is laying the pipe, as it must be inspected and tested before the property owners can connect.
Dawn Flohr, 8 Applewood Drive, addressed the Authority and inquired as to whether this project has any connection to the proposed development on Weise Road. Mr. Michelangelo responded that the sewers from this project do not flow to that area. Ms. Flohr questioned why Floral Lane was eliminated from this project. Authority members commented that they assume that it was determined that there was not a need on that street, and that the street was not needed to construct the sewer, as is the case with Applewood Drive. Ms. Flohr opined that the Authority based its information on incorrect information from Chesprocott. The Authority noted that there is no evidence at this point that the information was incorrect.

Mr. Gancarz reminded property owners that the sewer must get from one point to another, and sometimes that necessitates including an area which has not been identified as being problematic. Mr. Attwood stated that he believes that there are problems on that street, especially water problems. Some property owners in the area agreed.

Mr. Gancarz also offered that septic systems have a finite life, and having sewers installed protects the property owner from having to deal with septic system failure with no way to install a new code compliant septic system. He further stated that the Authority is acting proactively to avoid future problems. Not everyone involved in a sewer project needs the sewer, nor do they have to connect if they choose not to. That information was available to property owners two years ago at the public hearing. It is too late to stop this project at this time.

Mr. Attwood requested that Mr. Michelangelo obtain information on the life of the bond for this project.

Mr. John Prairie, Applewood Drive, inquired about the reconstruction of the road. Mr. Michelangelo stated that the entire road will be overlaid from curb to curb.

Mr. Attwood thanked the audience for their participation, and agreed to find the answers to any questions that were not answered at this meeting.

APPLICATIONS

There were no applications before the Authority.

REPORTS FROM CHAIRMAN/STAFF

Mixville Pump Station Project

Mr. Mariusz Jedrychowski, engineer for the project, stated that the Authority requested a letter as to when the pump will be shipped to the site. Mr. Jedrychowski referred to the letter, which states that the job was quoted to the pump company on January 8, 2010. It was stated at that time that delivery would be in 8-10 weeks.
After the quote was received, the contractor was informed that the pumps were no longer in stock and the lead times were changed to 12-14 weeks. The company offered to provide a loaner pump to the Town free of charge. The letter stated that the pumps are scheduled to leave the warehouse on September 27 and will arrive in CT on September 29.

In regard to a previous question from the Authority, Mr. Jedrychowski stated that 45 days is acceptable for processing invoices. Mr. Jedrychowski informed the Authority that the contractor has sent a letter to him requesting an extension of time because of the delay in delivery of the pumps. This will mean that substantial completion will be on November 11, 2010 and final completion on December 13, 2010. The contractor states that the completion date may be sooner if the weather cooperates. The letter states that if an emergency arises with the existing pumps, the contractor has the ability to by-pass the pump system to prevent disruption to the Town.

Mr. Dievert informed the Authority that there is a problem with one of the pumps and he is concerned. He believes that there is something stuck in the impeller and the temporary pump is necessary. Mr. Jedrychowski will inform the contractor of this problem right away.

Mr. Witek offered that he does not want the Town to incur any expense because of the delay of the pumps. Mr. Jedrychowski responded that there will not be any additional cost to the project for the delay.

Mr. Witek moved that the Water Pollution Control Authority approve the request of Xenelis Construction Co., for an extension of three weeks for the Mixville Pump Station Project. The contractor will provide a temporary pump at no additional cost. The motion was seconded by Mr. Eberle and carried unanimously.

Mr. Attwood moved that the Water Pollution Control Authority approve Invoice #73239 of Wright Pierce, in the amount of $4,446.02 for work relating to the Mixville Pump Station Project. The motion was seconded by Mr. Eberle and carried unanimously.

Mr. Attwood moved that the Water Pollution Control Authority approve Application for Payment #7 of Xenelis Construction Co, in the amount of $23,896.30 for work relating to the Mixville Pump Station Project. The motion was seconded by Mr. Eberle and carried unanimously.

Facilities Plan Update

Mr. Chelton requested that the Authority appoint a subcommittee to meet with DEP to try to move along approval of Phase 1 of the Facilities Plan, which has now been before them for almost three years. This project is not receiving attention from the DEP. The
Authority is now moving ahead with plant design, without the necessary approval of Phase 1.

Mr. Chelton stated that Phase 2 is nearing completion, with the incorporation of changes agreed upon with the Authority. It was agreed that Mr. Chelton print three copies of the final document, including one for Mr. Gancarz. The project will be finalized by the end of September.

WPCD Influent Pump Station

Mr. Chelton reported that the contractor has done the field work for this project, and did a great job executing the work. There will be a delay in shipment of the pump, and Mr. Chelton will report next month with more details.

Mr. Dievert concurred that the contractor did an excellent job on the work completed so far, and complimented his staff for their dedication to get the job completed in a timely fashion. Some staff reported for work at 3 a.m. in order to facilitate the work. It was a team effort that was very successful.

Mr. Attwood moved that the Water Pollution Control Authority approve Invoice #7086331 from AECOM in the amount of $1,724.75 for work relating to the WPCD Influent Pump Station. The motion was seconded by Mr. Gancarz and carried unanimously.

Mr. Attwood moved that the Water Pollution Control Authority approve Application for Payment #3 from C. H. Nickerson Co. the amount of $20,900 for work relating to the WPCD Influent Pump Station. The motion was seconded by Mr. Pelton and carried unanimously.

Mr. Attwood was pleased with the preparation of the colored flow charts relating to the Wastewater Treatment Plant. He expressed concern about the increase in consumption flow from the CCI, and Mr. Schrumm agreed to transmit this information to the Town Manager.

Mr. Dievert informed the Authority that he spoke with the Facilities Manager at the CCI, and it was agreed that the meters would be checked; however, it revealed that the meters were working well.

WPCD Plant Upgrade Design

On September 8 a special meeting was conducted to discuss the RFQ’s received for the plant upgrade project. A matrix developed by Mr. Witek and Mr. Gancarz was used to reduce the number of firms from five to three. An additional set of criteria has been developed to use during the interview with the three firms, which will be held on October 25. Copies of letters to the three firms selected are included in the packet.
Mr. Gancarz stated that he wanted to investigate capital costs and to review what would be required to complete design of the upgrade, which is included in the additional criteria. This will be sent to the three firms prior to the meeting.

Mr. Attwood stated that it is important to make the right decisions and to insure that the process meets the DEP requirements. Mr. Pelton inquired about the practice that the Authority has agreed upon to use hours and levels of expertise necessary for the work versus using dollars. Attorney Lord commented that the DEP does not want the Authority to necessarily select the lowest bidder. More important is the firm’s approach to managing the project. This would be in line with the use of hours rather than dollars.

Mr. Attwood stated that it is necessary for Mr. Dievert to put the criteria in writing. It is first necessary to select a firm, then to identify the scope of work, and finally determine costs to do the work. Mr. Attwood wants to insure that the project is not disqualified for funding because of the procedures used to select a firm.

Attorney Lord agreed to check with Dennis Greci of the DEP regarding the Qualified Basis Selection process. This is a concept which is not in the law. Mr. Gancarz commented that the Town is low on the priority list for funding for this project which is going to be extremely costly to the Town. It is going to take a concerted effort to obtain funding for this project.

Mr. Gancarz agrees with the concept of forming a subcommittee to investigate obtaining funding for this project. Mr. Attwood inquired of Mr. Schrumm as to whether there is anyone who may fight for the Town to obtain reimbursement for this project. Mr. Schrumm noted the importance of getting the project designed as quickly as possible, because future funding may be more problematic than what is currently available.

Mr. Chelton informed the Authority that the table of information sent to the firms is outdated and is being replaced in the new documents included in Phase 2. He will forward the new table to Mr. Gancarz tomorrow.

I & I Program – Interceptor Manhole Rehabilitation

Mr. Chelton informed the Authority that the warrantee period for this project expires on October 8. He will recommend release of retainage at the next meeting.

Sanitary Sewer Extension project – Applewood Drive area

This information was discussed earlier in the meeting.

Superintendent’s Report

Mr. Dievert informed the Authority that he met with a reporter from the Cheshire Herald to discuss the Plant Upgrade project. Hopefully, this will continue the efforts to inform the public of the importance of this project, as well as its impact on the future.
Cheshire Schools Zero Flow Urinals

There is nothing to report regarding this project at this time.

Sump Pumps

Mr. Chelton informed the Authority that he is aware of an approach utilized by another community to control the sump pump problem. Notices were sent out to property owners as part of an amnesty program. Mr. Chelton will send the letter to Mr. Gancarz for review.

Mr. Gancarz offered that this is a very important issue that needs to be addressed. He suggested that this be discussed at each monthly meeting. Mr. Attwood expressed disappointment that Town officials do not seem to be looking for sump pumps connected to the sewer system when inspections are performed.

Mr. Chelton stated that the Town’s assessor offers a break in the assessment to property owners who have a sump pump. His firm used that list for previous work done by his firm regarding the I & I problem. Mr. Schrumm offered that property owners are not necessarily given a break, but their assessment is less because of the fact that there is a sump pump in the home, and thus the value of the home is lower. Mr. Schrumm will clarify this issue with the Town Assessor.

Application Forms

This topic relates to adding the terms and conditions to the back of all application forms. Mr. Dievert is working on this. There will be a box on the application form that states that any work performed is in compliance with the Town Facilities Plan.

Flow Trend Charts

The new charts have been prepared and it is the consensus of the Authority that the new version is very helpful.

Chesprocott Information

Authority members received copies in their packets of the list of septic system failures and repairs for the month of August.

APPROVAL OF MINUTES

Mr. Attwood moved that the Water Pollution Control Authority approve the minutes of the regular monthly meeting of August 25, 2010, as published, subject to correction.
Correction: Page 8, paragraph 7, last line should read, “This is the opportunity for the DOC to pay more money to the town.”

The motion to approve the minutes, as amended, was seconded by Mr. Gancarz carried unanimously.

Mr. Pelton moved that the Water Pollution Control Authority approve the minutes of the special meeting of September 8, 2010, as presented, subject to correction.

Correction: Page 3, paragraph 4, first line should read, “Mr. Witek suggested that the Authority do a qualifications based selection of design professionals.”

The motion to approve the minutes, as amended, was seconded by Mr. Gancarz and `carried 4-0-1. Mr. Eberle abstained.

NEW BUSINESS

There was no new business to come before the Authority.

OLD BUSINESS

There was no old business to come before the Authority.

ADJOURNMENT

Mr. Pelton moved that the Water Pollution Control Authority adjourn at 10:20 p.m. The motion was seconded by Mr. Gancarz 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
Joseph Michelangelo, Ex-Officio Member
George Noewatne, Operations Manager
Dennis Dievert, Superintendent WPCD
Susan Zwick, Recording Secretary