

**TOWN OF OLD SAYBROOK
WATER POLLUTION CONTROL AUTHORITY
302 MAIN STREET
OLD SAYBROOK, CT 06475-2369**

REGULAR MEETING MINUTES

Monday, January 23, 2012

The Town of Old Saybrook Water Pollution Control Authority met on Monday, January 23, 2012, in the Old Saybrook Town Hall, Cafeteria, 302 Main Street, Old Saybrook, Connecticut, to conduct its second regularly scheduled meeting of the month.

I. Call to Order

The Meeting was called to order by Chairman Elsa Payne at 7:33PM.

II. Roll Call of Members and Seating of Alternates

Chairman Elsa Payne, Vice Chairman Ian Featherstone, Secretary George Gwizd, Chuck Wehrly, Doris Zumbroski, and Nelson Engborg were present. John Claffey, Jr. was absent. Ed Gyllenhammer, Alternate, was seated.

III. Approval of Minutes: Regular Meeting January 10, 2012

A motion was made by George Gwizd to approve the Regular Meeting Minutes of January 9, 2012. The motion was seconded by Chuck Wehrly. Mr. Wehrly noted that the day of the meeting was incorrectly stated as Tuesday. The day should have been stated as Monday. The motion was carried 6-0-1.

IV. Comments from Members and Chairman

George Gwizd commented on attending the Freedom of Information meeting and forwarding the information collected that was relevant to the State of Connecticut.

V. Comments from Public – none.

VI. Marina Village

William Childress, attorney for the Marina Village project, inquired of the WPCA Board what the ground rules are regarding the WPCA and moving forward with the treatment system at Marina Village. Of note was the matter of the maintenance agreement between the WPCA and Marina Village. Attorney Childress attempted to contact the WPCA's attorney and was informed that discussion could not take place until the WPCA had approved the legal services with their chosen attorney.

Chairman Elsa Payne noted that the Marina Village project was a referral from the DEEP and that the system was subject to DEEP approval. Attorney Childress responded that the system, as presented by Stu Fairbank in May of 2011, has been approved and is unchanged from the original May 2011 presentation.

Chuck Wehrly suggested that the WPCA obtain something in writing from the DEEP regarding the approval of the Marina Village treatment system. Mr. Wehrly further responded that the WPCA's reimbursement policy of engineering and legal services would likely be similar to that of other land use boards in the Town of Old Saybrook; up to 150% reimbursement. The WPCA will provide Marina Village with an estimate of the engineering and legal services, which, if agreed upon, will be made a part of the overall agreement between the WPCA and Marina Village.

Robbie Marshall suggested using Attorney Eric Knapp, given Attorney Knapp's previous experience with Eden Harbour's agreement. Attorney Childress noted that Attorney Knapp was counsel for the Old Saybrook Zoning Commission. Attorney Childress noted that Marina Village has received approval from the Zoning Board for the Town of Old Saybrook. Mr. Wehrly stated the WPCA Board will discuss which attorney to employ for this matter.

Attorney Childress commented that Marina Village has a Notice of Intention to Approve from the DEEP. Richard Grigoraitis, the Project Coordinator for Marina Village, noted that Marina Village could not get the units online without the treatment system in place. The point of contact at the DEEP for Marina Village is Jennifer Perry and Chairman Payne suggested contacting Ms. Perry to inquire as to obtaining written notification of approval.

Chairman Payne suggested employing Attorney Knapp's legal services in this matter. Mr. Wehrly noted that Shipman & Goodwin were the originators of the agreement with Saybrook Commons, an agreement that was then adjusted for Eden Harbour. Either Attorney Knapp or Shipman & Goodwin would be good choices. Attorney Knapp does have the advantage of being familiar with the project given Attorney Knapp's role as counsel for the Zoning Commission. Eugene Evangelisti noted that there could be future conflict of interest issues with employing the same attorney who is involved in the Zoning Commission and the WPCA Board.

A motion was made by Chuck Wehrly to use the engineering firm of Fuss & O'Neill for consulting services on the Marina Village waste water treatment system, pending notification from DEEP. The motion was seconded by George Gwizd. No discussion. The motion was carried unanimously.

A motion was made by Chuck Wehrly to use the legal services of Shipman & Goodwin for the Marina Village applications of a waste water treatment maintenance agreement, pending notification from DEEP. The motion was seconded by Ed Gyllenhammer. No discussion. The motion was carried unanimously.

VII. Staff Reports

a. Financial Reports

Gratia Lewis presented an invoice for Robbie Marshall for the January 2012 and February 2012 Pump Out postcard mailing in the amount of \$29.05; an invoice for Robbie Marshall for business cards for the inspector and coordinator in the amount of \$22.55; and an invoice for Shipman & Goodwin for legal services for December 2012 regarding an ATS agreement and Amendment 9 in the amount of \$779.50.

A **motion** was made by Ian Featherstone to approve the invoices for Robbie Marshall for \$29.05 and \$22.55, and the invoice for Shipman & Goodwin for \$779.50, for payment. The motion was seconded by Ed Gyllenhammer. No discussion. The motion was carried unanimously.

b. Coordinator's Update

Robbie Marshall reported on the mailing of the January 2012 and February 2012 Pump Out postcards.

Ms. Marshall spoke to the letter regarding the need for additional or new office space for the WPCA. The letter will be sent from the WPCA Board and will request a meeting with the Board of Selectman. Mr. Evangelisti noted that it is quite difficult to speak with homeowners, either over the phone or in person, in the office when more than three members of the WPCA staff are in the office. Additionally, when there are more than three members of the WPCA staff in the office the room quickly becomes overcrowded, with frequent interruptions to each staff member attempting to perform his or her duties. Given the lack of space for just the staff, it becomes even more difficult to bring in storage for the growing resident files for the WWMD project.

Ms. Marshall reported that Dennis Greci of DEEP will be presenting the WPCA's program at the upcoming NOWRA conference. Ms. Marshall noted membership costs associated with YOWRA, the local branch of NOWRA. Mr. Evangelisti reported that Dave Potts, one of the NOWRA directors, has invited the WPCA to present at conference as well. Chairman Payne will speak with Dennis Greci of DEEP regarding the talking points that will be presented so that the WPCA staff and Mr. Greci can coordinate the presentation, reducing the chance of overlap. Chairman Payne requested that Ms. Marshall look into what the actual costs are for the WPCA to join YOWRA. Does each member have to pay the membership fee? Is the WPCA considered a Regulator? Vice Chairman Ian Featherstone inquired as to whether the Town of Old Saybrook was a member of the Association of Towns and Townships due to the fact that the Association is a partner organization. Ms. Marshall stated that the deadline for attending the NOWRA conference is March 1, 2012.

c. Site Manager's Update

Eugene Evangelisti reported that Cameron Evangelisti has returned to work on light duty. Cornfield Park's site investigations are in process. Mr. Evangelisti reported that SA-2 should be ready to go out for bid soon and a request has been made as to when SA-3 will be ready. Mr. Evangelisti has made a number of requests to CRAHD to forward the soil testing information for review to ensure none of the sites need to be retested; CRAHD has yet to respond. Mr. Evangelisti reported that soil testing for Phase I is ahead of schedule; and suggests inquiring to Dennis Greci of DEEP regarding beginning the home inspections of Phase II and where the monies would come from and be allocated. Ms. Marshall stated the WPCA could obtain prior approval from the DEEP to start the Phase II home inspections as long as the WPCA specified which area it intends to start inspecting.

Ms. Lewis reported that the project manual for SA-2 has been completed and is ready for the printer. Ms. Lewis will contact Mary Silva of Fuss & O'Neill regarding the plans for SA-2. The project manual for SA-3 requires minimal changes, and the plans have been requested to be in the hands of Dennis Greci of DEEP by the end of this week, Friday, January 27th. Mr. Evangelisti would like to see SA-2, 3, and 4 going by March 2012.

Mr. Evangelisti revisited the need for a WPCA truck. Regarding the use of a town truck, Mr. Evangelisti, or a member of the WPCA site staff, will fill out the necessary paperwork in the morning, however, if the town truck is not up to code, the WPCA site staff will not use the vehicle. Mr. Evangelisti spoke with First Selectman Fortuna regarding purchasing a used truck; First Selectman Fortuna would prefer a decent truck that could be made part of the town inventory when the WPCA has completed its use of the vehicle. Mr. Featherstone inquired as to whether an inventory of the town garage had a truck that was usable. Chairman Payne inquired as to what kind of truck Mr. Evangelisti would need. Mr. Evangelisti stated that a utility truck with enough room for the Ground Penetrating Radar and some tools, with the capacity to tow the trailer with the mini excavator would meet the WPCA's needs. Mr. Wehrly and Vice Chairman Featherstone requested information on what is in the town garage. Mr. Evangelisti inquired as to the use of the former First Selectman's Crown Victoria sedan by the WPCA site staff to reduce mileage reimbursement costs.

Chairman Payne requested that Robbie Marshall add the discussion regarding the need for WPCA vehicle(s) to the letter to Board of Selectman.

VIII. Old Business

a. Subcommittee Updates

i. ATS

Robbie Marshall reported that the extension letters went out to the residents. Chairman Payne and Ms. Marshall have updated rating charts. Ms. Marshall reported that Dave Potts has invited the WPCA to his lab for a tour. Ms. Marshall has ATS demo questions, provided by Dennis Greci of DEEP, to be answered.

b. Engineering RFQ

Ms. Marshall reported on receiving sixteen (16) responses to the Engineering RFQ, for which a list was forwarded to the WPCA Board. Ms. Marshall reported that an updated version of surveying rating system will be used in assessing the engineers.

c. Surveyor Qualifications Recommendation(s); Act

Ms. Marshall reported that Dennis Greci of DEEP recommended selecting one or two surveyors and, if the first surveyor rejects the proposal, send the proposal to the other surveyor. Chairman Payne will speak with Dennis Greci of DEEP for clarification on this matter. Recommendation postponed until next regularly scheduled meeting, Monday, February 13, 2012.

IX. New Business – none.

X. Executive Session: To Discuss a Legal Agreement and Possible Legal Action.

A motion to enter into Executive Session for the purpose of discussing a legal agreement and possible legal action was made by George Gwizd at 9:04PM. The motion was seconded by Chuck Wehrly and carried unanimously.

In Attendance: Chairman Elsa Payne, Vice Chairman Ian Featherstone, Secretary George Gwizd, Chuck Wehrly, Doris Zumbroski, Nelson Engborg, Ed Gyllenhammer, Eugene Evangelisti, Robbie Marshall and Gratia Lewis.

In Executive Session there were no motions made and no vote taken.

The WPCA returned to Regular Session at 9:15PM.

XI. Adjournment

A motion to adjourn was made at 9:16PM by Nelson Engborg. The motion was seconded by Ed Gyllenhammer and carried unanimously.

The next regularly scheduled meeting will be held on Monday, February 13, 2012 at the Old Saybrook Town Hall, 1st Floor Conference Room, 302 Main Street, Old Saybrook, Connecticut.

Respectfully Submitted,

M. S. Lewis

Melissa S Lewis
WPCA Clerk