

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

REGULAR MEETING MINUTES

Tuesday, January 9, 2012

The Town of Old Saybrook Water Pollution Control Authority met on Tuesday, January 9, 2012, in the Old Saybrook Town Hall, 1st Floor Conference Room, 302 Main Street, Old Saybrook, Connecticut, to conduct its first regularly scheduled meeting of the month.

I. Call to Order

The Meeting was called to order by Chairman Chuck Wehrly at 7:30PM.

II. Roll Call of Members and Seating of Alternates

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

III. Approval of Minutes: Regular Meeting December 12, 2011

A **motion** was made by George Gwizd to approve the Regular Meeting Minutes of December 12, 2011. The motion was seconded by Elsa Payne. No discussion. The motion was carried unanimously.

IV. Comments from Members and Chairman

Secretary George Gwizd commented on an article speaking to the WPCA's sewage rate regarding Point of Woods.

Chairman Chuck Wehrly reported on a letter received from Shipman & Goodwin, dated December 28, 2011. The subject of the letter was Shipman & Goodwin's annual notice of legal service fees and the required disclosure form.

Chairman Wehrly commented on a letter received from Fuss & O'Neill, dated December 29, 2011, with a follow up e-mail from Peter Grose of Fuss & O'Neill, dated January 5, 2012, concerning the Engineering RFQ. In question was whether Fuss & O'Neill was required to submit their qualifications for the Engineering RFQ. The WPCA responded on January 9, 2012 that Fuss & O'Neill was required to submit their qualifications. Given the delay in response to their request, Fuss & O'Neill requested a one week extension of

the Engineering RFQ deadline. The WPCA agreed to the extension as long as it pertains to Fuss & O'Neill's Engineering RFQ qualifications.

Chairman Wehrly reported on a call received from Attorney William Childress on December 20, 2011 regarding the Marina Village (Between the Bridges) development. The Marina Village development is reconsidering the discharge arrangement for the proposed treatment plant. The original proposal would utilize a discharge to ground leaching field under the parking area. The Marina Village development is now looking at discharging directly into the Connecticut River. A preliminary discussion was held between Attorney Childress and First Selectman Carl Fortuna in which the First Selectman stated that the system would fall under the DEEP and would be for the DEEP to decide the appropriateness of the change in discharge. Additionally, First Selectman Fortuna encouraged Attorney Childress to contact the WPCA and make them aware of the proposed change.

Chairman Wehrly spoke with Attorney Childress and indicated that he would speak with the WPCA Board, DEEP, and the First Selectman, and then follow up with Attorney Childress. Chairman Wehrly and Eugene Evangelisti met with First Selectman Fortuna regarding the matter, citing the change would undermine the WPCA's program of on-site solutions, especially a change involving discharge directly into the Connecticut River. This project is of such a size that it would be under the review of the Connecticut DEEP and not the Town of Old Saybrook or the Health Director of CRAHD, though adherence to the maintenance agreement would be the responsibility of the WPCA.

Chairman Wehrly received a follow up call from Attorney Childress on December 27, 2011 in which Attorney Childress reported speaking with First Selectman Fortuna who voiced the concerns of the WPCA and Town of Old Saybrook, and recommended that Attorney Childress speak with the WPCA.

The consensus of the WPCA Board is against the change in discharge by the Marina Village development. The purpose of the program in the Town of Old Saybrook is to prevent discharge into not only Long Island Sound but also the Connecticut River and the Marina Village's proposed change in discharge is directly into the Connecticut River.

V. Comments from Public – none.

VI. Election of Officers

Chairman Chuck Wehrly voiced his desire to step down as Chairman but would like to stay on as a regular Board member. Vice Chairman Elsa Payne has agreed to step up to the position as Chairman, with Ian Featherstone to step up as Vice Chairman. George Gwizd has agreed to remain Secretary of the WPCA Board.

A nomination was made by John Claffey, Jr. to reappoint George Gwizd as Secretary of the WPCA Board. The nomination was seconded by Elsa Payne. No discussion. The nomination was carried unanimously.

A nomination was made by Elsa Payne to appoint Ian Featherstone as Vice Chairman of the WPCA Board. The nomination was seconded by Nelson Engborg. No discussion. The nomination was carried unanimously.

A nomination was made by George Gwizd to appoint Elsa Payne as Chairman of the WPCA Board. The nomination was seconded by Ian Featherstone. No discussion. The nomination was carried unanimously.

Incoming Chairman Elsa Payne took over the meeting.

VII. Staff Reports

a. Financial Reports

Gratia Lewis presented the Operating Budget Report for December 2011 for acceptance by the WPCA Board.

A motion was made by Ian Featherstone to accept the Operating Budget Report for December 2011 as presented. The motion was seconded by George Gwizd. No discussion. The motion was carried unanimously.

Ms. Lewis reported a discussion with Matt Rubin, President of the Eden Harbour Condominium Association, regarding sending out an invoice at the beginning of each month in the amount of \$660.00. When Mr. Rubin has collected the funds from the members of the condominium association, Mr. Rubin will forward a check for the \$660.00. There are four (4) owners with outstanding 2011 payments. Ms. Lewis inquired of the WPCA Board as to whether the WPCA should continue to attempt to collect the outstanding funds. Chairman Elsa Payne and Chuck Wehrly stated that it is the responsibility of the Eden Harbour Condominium Association, the President in particular, to collect the outstanding monies. Vice Chairman Ian Featherstone suggested adding the outstanding balance to the first invoice sent to Mr. Rubin.

Ms. Lewis presented the revised Sewerage Benefit Assessment Relief for Certain Elderly and Disabled Homeowners Income Guidelines. Ms. Lewis reported that, when the ordinance was passed for Benefit Assessment relief, there was a requirement for an annual review of income levels. The 2012-2013 income levels have increased from \$31,900.00 to \$32,800.00 for unmarried homeowners and from \$39,300.00 to \$40,500.00 for married homeowners. Ms. Lewis recommended that the WPCA Board accept the income level increases.

A motion was made by Ian Featherstone to accept the qualifying income level increases for 2012-2013 in the amounts of \$40,500.00 for married homeowners and \$32,800.00 for unmarried homeowners. The motion was seconded by George Gwizd. No discussion. The motion was carried unanimously.

Ms. Lewis presented an invoice for Robbie Marshall for website management and hosting for \$39.56; an invoice for Shipman & Goodwin for professional legal fees for November 2011 for \$3,138.00; and an invoice for Fuss & O'Neill for professional engineering services for November 2011 for \$8,053.34.

A motion was made by George Gwizd to approve the invoice for Robbie Marshall in the amount of \$39.56, the invoice for Shipman & Goodwin in the amount of \$3,138.00, and the invoice for Fuss & O'Neill in the amount of \$8,053.34, for payment. The motion was seconded by Chuck Wehrly. Vice Chairman Featherstone inquired as to any anomalies in the Fuss & O'Neill invoice. Ms. Lewis responded that the invoice was clear of anomalies. Robbie Marshall clarified the Shipman & Goodwin legal fees regarding the Billow Road agreement. The agreement represents an understanding that ATS system will need to be installed at the Castle property on Billow Road. No further discussions. The motion was carried unanimously.

i. 2012-2013 Budget: Act – To be discussed under Item IX: Old Business.

b. Coordinator's Update

Robbie Marshall reported on an upcoming NOWRA conference in Providence, Rhode Island. Ms. Marshall inquired of Kurt Mailman of Fuss & O'Neill the status of bid package readiness for SA-2, SA-3, and SA-4. Mr. Mailman e-mailed a response to Ms. Marshall today, January 9, 2012, which Ms. Marshall distributed to the WPCA Board for review. Ms. Marshall recommended setting up a meeting with Dennis Greci of DEEP to discuss the CWF application for Phase 2, the status of the Delegation of Authority for AT systems and moving forward on the schedule. Ms. Marshall reported that second notices have gone to the Cornfield Park homeowners who have yet to respond.

c. Site Manager's Update

Eugene Evangelisti was not present. Ms. Lewis reported that the ToughBooks had arrived and were ready for use.

VIII. CRAHD Report – none.

IX. Old Business

a. Subcommittee Updates

i. ATS: Discussion of Town Beach Facilities Demo

Robbie Marshall reported on meeting with George Loomis and David Kalen from URI on December 13, 2011. It was recommended that the current charts be populated with more information, information beyond

what the vendor supplies. Ms. Marshall and Elsa Payne will meet to create the necessary criteria and how it will be displayed on the spreadsheet(s). Chuck Wehrly reminded the Board that if ATS demos are to be installed at Town Beach Facilities by Summer 2012, the ATS Subcommittee needs to move forward and speak with Dennis Greci of DEEP about obtaining the necessary permit(s).

b. Engineering RFQ

Robbie Marshall reported the deadline for the Engineering RFQ is January 13, 2012 and that, to date, the WPCA have received two (2) responses.

c. Fuss & O'Neill Amendment 9

Ms. Lewis and Mr. Evangelisti have reviewed Amendment 9 and have determined that there is some missing information that Fuss & O'Neill will need to provide, such as survey and mapping technical standard requirements. There are currently a number of additional issues in need of resolution with Fuss & O'Neill.

d. 2012-2013 Budget: Act

Ms. Lewis presented the 2012-2013 Budget for review and approval by the WPCA Board. Vice Chairman Featherstone noted a data entry error in the Financial Manager's income. Ms. Lewis entered \$18,313.00 instead of \$24,296.00, creating a \$6,000.00 adjustment that needs to be removed from one or more lines items to balance the 2012-2013 Budget.

Mr. Wehrly inquired as to whether the budgeted amounts for legal and engineering fees were sufficient. Ms. Lewis responded that, to-date, only \$2,000.00 has been spent in those line items and Ms. Marshall reminded the Board that any legal or engineering fees charged to the WPCA for work done outside the WWMD, such as the Marina Village development, can and will be charged back to the developer.

The WPCA Board discussed where the cuts would be made to balance the \$6,000.00 overage. The WPCA Board concluded that the Benefit Assessment Software, Office Supplies, and Equipment Maintenance and Supplies line items be reduced.

A motion was made by Ian Featherstone to accept the WPCA 2012-2013 Budget, under account number 258, subject to the following changes: Personnel - Financial Manager was changed to \$24,296.00, Benefit Assessment Software was reduced to \$3,000.00, Office Supplies was reduced to \$4,500.00 and the Equipment Maintenance and Supplies was reduced to \$2,500.00. The motion was seconded by Chuck Wehrly. No discussion. The motion was carried unanimously.

Ms. Lewis presented a request for approval to submit a Capital Improvement Budget Request for Benefit Assessment software for \$32,772.00. The software in question is an extension of the current accounting software used by the Town of Old Saybrook's Treasurer, Robert Fish. Vice Chairman Featherstone inquired as to training fees and limits to the fees. Ms. Lewis responded that no contracts have been signed nor will any be signed if the software provider cannot provide what is needed within the monies allotted. Mr. Wehrly inquired as to whether the software is CWF eligible and whether the WPCA is required to go out for competitive bid given its cost. Ms. Lewis responded that the software is neither CWF eligible nor required to go out for competitive bid.

A motion was made by Ian Featherstone to submit a Capital Improvement Budget Request for Benefit Assessment software in the amount of \$32,772.00, including licensing, training and customization. The motion was seconded by Chuck Wehrly. No discussion. The motion was carried unanimously.

Ms. Lewis presented a request for approval to submit a Capital Improvement Budget Request for a truck for approximately \$66,000.00 but not to exceed \$80,000.00; base truck price \$16,133.00 plus \$46,391.70 in required additions. Vice Chairman Featherstone inquired as to what was the inventory of Town of Old Saybrook trucks and, given the safety complaints brought to the WPCA Board's attention by Eugene Evangelisti, shouldn't that matter be resolved first. Since the truck would become the property of the Town of Old Saybrook, there is no real guarantee that the new truck would remain functional.

A motion was made by George Gwizd to submit a Capital Improvement Budget Request for a truck, not to exceed \$80,000.00. The motion was seconded by John Claffey, Jr. Vice Chairman Featherstone reiterated the need to know what is currently in the Town of Old Saybrook's truck fleet. Chairman Payne suggested using one of the Town trucks and upgrading it to the WPCA's needs. Mr. Wehrly feels more information is necessary given the cost. John Claffey, Jr. sees the need for the truck as long as it is for WPCA use only. Ms. Lewis commented that the WPCA may be able to address the purchase of the truck, after January 15, 2012, by petitioning the Board of Finance. No further discussion. The motion was defeated 1-4-1.

X. New Business

Chuck Wehrly raised the subject of the WPCA Staff's need for office space given the additional staff and much needed storage. Mr. Wehrly recommended that the WPCA staff prepare a list of what specifically is needed as to space and equipment.

XI. Executive Session: To Review/Discuss Surveyor Evaluations, Legal Contracts and Potential Litigation

A **motion** to enter into Executive Session for the purpose of reviewing/discussing the surveyor evaluations, legal contracts and potential litigation was made by George Gwizd at 9:45PM. The motion was seconded by Ian Featherstone and carried unanimously.

In Attendance: Chairman Elsa Payne, Vice Chairman Ian Featherstone, Secretary George Gwizd, Chairman Chuck Wehrly, Nelson Engborg, John Claffey, Jr., Robbie Marshall and Gratia Lewis.

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

The WPCA returned to Regular Session at 10:18PM.

XII. Adjournment

A **motion** to adjourn was made at 10:19PM by John Claffey, Jr. The motion was seconded by Nelson Engborg and carried unanimously.

The next regularly scheduled meeting will be held on Monday, January 23, 2012 at the Old Saybrook Town Hall, 2nd Floor Conference Room, 302 Main Street, Old Saybrook, Connecticut.

Respectfully Submitted,

Melissa S Lewis
WPCA Clerk