

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

SPECIAL MEETING MINUTES

Monday, February 7, 2011

The Town of Old Saybrook Water Pollution Control Authority met on Monday, February 7, 2011, in the Old Saybrook Cafeteria, Basement Level, 302 Main Street, Old Saybrook, Connecticut to conduct a special meeting.

I. Call to Order

The Meeting was called to order by Chairman Chuck Wehrly at 7:00PM.

II. Roll Call of Members

Chairman Chuck Wehrly, Secretary George Gwizd, John Claffey, Jr., Nelson Engborg, Ian Featherstone and Doris Zumbroski were present. Ed Gyllenhammer was absent. Vice Chairman Elsa Payne arrived at 7:05PM.

III. Executive Session: Discussion of Legal and Personnel Issues

A **motion** to enter into Executive Session for the purpose of discussing legal and personnel issues was made at 7:02PM by George Gwizd. The motion was seconded by Doris Zumbroski and carried unanimously.

Executive Session ended at 7:45PM. In Executive Session there were no motions made and no vote taken.

IV. Clean Water Fund Application: To approve a resolution to enforce the WWMD benefit assessment and pledge the revenues therefrom to the repayment of the applicable CWF Loans.

Bruce Chudwick of Shipman & Goodwin discussed the resolution to enforce the WWMD benefit assessment and pledge of the revenues therefrom to the repayment of the applicable CWF Loans. This resolution informs the State of Connecticut Treasurer's Office that the Town of Old Saybrook shall not impinge the reimbursement of the CWF Loans by means of the benefit assessment funds received by the WPCA. The resolution also allows the Chairman of the WPCA to sign documents in relation to the whole of the project.

The following resolution was read into the minutes by Chairman Chuck Wehrly:

TOWN OF OLD SAYBROOK
WATER POLLUTION CONTROL AUTHORITY

RESOLUTION TO ENFORCE THE WASTEWATER MANAGEMENT DISTRICT
BENEFIT ASSESSMENTS AND PLEDGE THE REVENUES THEREFROM TO THE
REPAYMENT OF THE APPLICABLE CLEAN WATER FUND LOANS

WHEREAS, the Town of Old Saybrook (the "Town") has approved a resolution appropriating \$42,171,200 for design and construction of decentralized wastewater management systems (the "Systems") within the decentralized wastewater management district (the "Project") and authorizing the issuance of bonds, notes or other obligations to finance said appropriation, which bonds, notes or other obligations may be payable solely from certain revenues, including assessments, derived or to be derived from the ownership, operation, use or services of the Systems; and

WHEREAS, the State's Clean Water Fund Program (CGS Section 22a-475, et seq.) provides that a municipality may by resolution of its Board of Selectmen and WPCA authorize loan obligations secured solely by a pledge of revenues derived from the Systems; and

WHEREAS, on November 1, 2010 the Water Pollution Control Authority (the "WPCA") adopted the Decentralized Wastewater Management District Benefit Assessment Policy (the "Policy") providing that Lot Upgrade Costs, other than those covered by the Funding Assistance, be assessed and collected on Lots in accordance with the Policy and Sections 7-249 through 7-254 of the Connecticut General Statutes (the "Benefit Assessments"); and

WHEREAS, pursuant to the January 6, 2011 Project Loan and Project Grant Agreement between the State and the Town under the State's Clean Water Fund Program (the "Agreement"), the Town will execute and deliver to the State certain loan obligations (an interim funding obligation and a project loan obligation) in an amount not to exceed \$5,102,083 (the "Obligations") that will be special, limited obligations of the Town, payable solely from revenues derived from the Benefit Assessments; and

WHEREAS, the WPCA wishes to pledge the Benefit Assessments to the repayment of the Obligations.

BE IT RESOLVED, that the WPCA hereby pledges the Benefit Assessments as security for the payment of principal of and interest on the Obligations.

BE IT FURTHER RESOLVED, that, while any portion of the Obligations remains outstanding, the powers, duties and obligations of the WPCA to implement and enforce the Policy shall not be diminished or impaired in any way that will adversely affect the Benefit Assessments or the pledge thereof made by this resolution.

BE IT FURTHER RESOLVED, that the Chairman of the WPCA is hereby authorized to execute and deliver all documents necessary and appropriate for the issuance of the Obligations and the pledge of the Benefit Assessments as provided in this resolution.

A motion was made by George Gwizd to approve the resolution to enforce the WWMD benefit assessment and pledge the revenues therefrom to the repayment of the applicable CWF Loans. The motion was seconded by Doris Zumbroski. No discussion. The motion was carried unanimously.

V. SA-1 Bid Documents: Review and Act

Kurt Mailman discussed potential issues regarding bid documents: Doane Collins needs to sign off on the surveys of three properties, and the resolution of wages rates, residential rates or a specialty rate as opposed to its current status as heavy construction. Mr. Mailman indicated the change in wage rates should not delay the release of the bid documents, and when the rates are changed an addendum can be added to the bid documents.

Mr. Mailman reported the establishment of the FTP site for access to bid documents. Access to the FTP site is currently limited to the WPCA and Ciel. Once the bid documents are released, access to the FTP site will be open to the public for bidding. In regards to the DEP procurement process, a bidding period of 30 days will be needed. The current deadline for bid submission is March 7, 2011, this date will need to be changed as soon as the bid documents have been released.

Chairman Chuck Wehrly requested Robbie Marshall to forward to CRAHD the amended notes, on the memorandum dated January 25, 2011 from Wendy K. Brown-Arnold, R.S. of CRAHD. Chairman Wehrly requested Ms. Marshall to follow up with Ms. Brown-Arnold by e-mail after the amended notes had been forwarded. Once CRAHD has accepted the bid documents and amended notes, the FTP site, Ciel, and advertising can be done within about 24 hours. Orders to upgrade on SA-1 will also need to be done and approved by CRAHD; upon approval, any orders for upgrade can be added to the contract documents through an addendum.

A motion was made by George Gwizd to approve and recommend the bid documents for release, as they stand as of this Special Meeting on February 7, 2011, and contingent upon the acceptance by CRAHD of the amended notes associated with the memorandum dated January 25, 2011 from Wendy K. Brown-Arnold, R.S. of CRAHD and contingent upon Doane Collins' signing off on the three outstanding surveys. The motion was seconded by Nelson Engborg. No discussion. The motion was carried unanimously.

VI. Invoices

Gratia Lewis presented invoices for Halloran & Sage for professional services in the amount of \$2,447.58; an invoice for Fuss & O'Neill for professional services for December 2010 in the amount of \$14,690.67; and two invoices for Robbie Marshall, one

for website hosting in the amount of \$77.06, and the other for the Saybrook Point meeting mailing in the amount of \$10.54.

A motion was made by Nelson Engborg to approve the invoices from Halloran & Sage, Fuss & O'Neill, and Robbie Marshall. The motion was seconded by Doris Zumbroski. No discussion. The motion was carried unanimously.

VII. Staff Updates

a. Financial

Gratia Lewis discussed the budget through the end of January; the format is representative of what the budget will look like for fiscal year 2010-11. Ms. Lewis discussed the benefit assessment memorandum on the policy regarding the establishment of single and married elderly income guidelines. Chairman Chuck Wehrly will include discussion of the income guideline policy in the agenda for the next regularly scheduled meeting planned for Monday, February 14, 2011.

b. Coordinator

Robbie Marshall read the thank you card from Dr. Robert Powitz in regards to the gift sent by the WPCA. Ms. Marshall mentioned the receipt and placement of the sample Bin & Barrel, which is stationed outside of the WPCA office. Ms. Marshall reported that the cards for the February 17, 2011 Saybrook Point meeting had been sent and that the Thompson data sheets are being prepared.

John Claffey, Jr. discussed a potential issue with 107 Chalker Beach Road; the property owner has opted out of the program and has a system being installed at this time. The properties nearby 107 Chalker Beach Road have clearly raised mounds as part of their systems, while this property does not appear, at present, to require a raised mound. Eugene Evangelisti commented that, depending upon the system, the raised mound may not be necessary. The WPCA has not been contacted to sign off on the system. Mr. Evangelisti will stop by 107 Chalker Beach Road and check things out.

c. Site Manager

Eugene Evangelisti has been working to get the bid documents out. Mr. Evangelisti has been unable to meet with anyone recently given the bid document release delay and weather issues. Mr. Evangelisti is looking to restart meetings next week.

VIII. Adjournment

A motion to adjourn was made at 8:31PM by John Claffey, Jr. The motion was seconded by Elsa Payne and carried unanimously.

The next regularly scheduled meeting will be at 7:30PM on Monday, February 14, 2011 at the Old Saybrook Town Hall First Floor Conference Room, 302 Main Street, Old Saybrook, Connecticut.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'MSL', with a large, sweeping flourish extending to the right.

Melissa S Lewis
WPCA Clerk