

Draft
Water Pollution Control Authority
Regular Meeting Minutes of February 2, 2009
Town of Montville
Town Hall Town Council Chambers at 7:00 p.m.

I Water Pollution Control Authority

- a. Call to Order – Chairman May called the regular meeting of the Water Pollution Control Authority to order at 7:00 p.m.
- b. Pledge of Allegiance
- c. Roll Call – Present were Commissioners Geary, May, Schober and Thorn. Also present were Administrator Brian Lynch, Mayor Jaskiewicz, Superintendent Michael Didato, and Attorney Ronald Ochsner.
- d. Approval of Minutes – Motion made by Commissioner Thorn, seconded by Commissioner Geary to approve the January 5, 2009 meeting minutes with the following corrections:
 - a. Page 3, item #7, second line should read 45 degrees;
 - b. Page 6, item #5, the resolution # is SAR No. 2009-008.

Voice vote: 4-0, all in favor, motion carried.

Motion made by Commissioner Geary, seconded by Commissioner Thorn to approve the January 20, 2009 meeting minutes. Discussion: none. Voice vote: 4-0, all in favor, motion carried.

- e. Communications – Administrator Lynch referenced a letter to the Commission from SCWA regarding backbilling. He indicated the information was distributed by email earlier and this is the hard copy. He stated this information is the quarterly report only and it does not answer any of the questions previously requested by the Commission.
- f. Remarks from the public relating to matters on the agenda – none.
- g. Report from the Operations Division
 1. With the available data to date the Water Pollution Control Facility (WPCF) was in full compliance of its NPDES permit for January.
 2. There were no treatment plant odor complaints during the month. However I did take a call from Air Compliance (DEP) about odors on the other side of the river.
 3. Last month sludge thickness averaged 6.3%
 4. The Mayor, Brian, and I had a meeting regarding a new contract with AFSCME local 1303-341.
 5. The transfer switch for the emergency generator needed some minor tweaking since it was serviced and fixed a few months ago. After discussion with the service representative we will not be charged for the additional call out service.
 6. We have had problems with the #1 aeration blower. Fortunately this repair is covered under our service contract with Rockwell Automation. Without this service contract the repair would likely cost us over 12K.
 7. A new truck mounted sander has been procured as a safety item. This was necessary to appropriately deal with all the ice and snow we have had on our

ever-growing collection system and plant requiring immediate traction.

8. A new microwave dish was installed on the Cook Drive water tower. The old dish was malfunctioning.
9. We have continued supplying our time and efforts to URS with the facility plan.
10. About six months ago we replaced a seal on our #3 main pump. It has since failed. However, we worked out getting a new replacement seal under warranty.

Collection System:

- A new seal has been installed at our Avery II pump station and should reduce potable water used at this station.
- We were called to the Village apartments by the Fire department. At first gases given off from our sewer system was suspect for a young man getting sick. However, after further investigation it was found that someone within the apartment complex used a chemical to clear an obstruction. Off gases were emitted when internal work was performed on their pipes.
- A new grinder pump was installed about a year ago at Tech-Air. Recently we had to replace it again. We will be billing them based on the obvious smell of solvents in the wet well. These types of solvents eat the rubber seals causing premature pump failure.
- We were called to the Montville Polish Club for sewage backing up into the building. Upon inspection it was found that the grinder pump was not the cause for the blockage. The problem was in the pipe delivering wastewater to the grinder pump.
- On December 26th a call was received from the Montville police department regarding a manhole cover located in front of 515 Rt. 163. Mr. McNally investigated and found that the DOT was on scene applying cold patch around the cover. Update: the frame was replaced in January.
- We responded to Montville Public Works regarding a problem they had with their pump station. We used our crane truck to lift the pump out of the wet well to determine that the pump needed to be replaced. They (DPW) will be paying for the new pump and we will assist in the installation.
- The corroded air release devices on the RWC supply line have been repaired with repair bands. If any of these corroded air release devices ruptured we would have a major problem. This work was done during a RWC scheduled shut down. We also used this window of opportunity to replace some leaky gaskets on some plumbing in the plant while RWC was down.

Projects/Connections

- The old Sergio's Pizza is expected to become a day care, which will likely discharge less wastewater.
- The old dry cleaners on Route 32 near Cumberland farms will soon be redone and a new business will open. I understand it will be a motorcycle and off road vehicle sales establishment.

Discussion: Commissioner Thorn inquired regarding the manhole cover replacement and how it became damaged. Mr. Didato indicated it could have been from plow damage or it could have been caused by freezing and lifting.

h. Report from the Administration Division

Brian Lynch read the following report to the Commission;

- I have had several meetings between Robinson & Cole, Attorney Ochsner, the Mayor over the pending arbitration issue with Rand Whitney. We will have to go to Boston to have the case heard. The details over whom, when and where have not been settled at this time, and I will keep everyone informed as more information becomes available to me.
- I am currently working on our budget for next year. I won't be able to put any hard numbers down until we adopt the new sewer rate. I should be able to have it ready for next month.
- Mike and I met with the Mayor and Eileen Duggen (the Towns' Labor Lawyer) last week. The contract with the WPCA employees will expire at the end of August. We held a preliminary meeting to talk about some of our concerns.
- The Mohegan Tribal Utility Authority has officially started taking water from our system. They are drawing between 350,000 to 450,000 gallons per day. We were concerned about the pressure swing on Route 32, but everything is working fine.
- The Department of Corrections continues to work on their pressure swing problems. They have hired a firm to regulate the pressure valves. They also have installed two large pressure tanks to help reduce the large swings.
- I have sent Southeastern Connecticut Water a letter directing them to back bill the water customers that were under charged for their usage.
- We sat with Mr. Leitkowski and John Butler who own the property next to the treatment plant. We reviewed the appraisal of the property with them. They felt that the numbers were not quite what they were looking for and have decided to have another firm evaluate the property.
- I am pleased to say that the amount of money that we owe to the Town is at its lowest point since I came on board. We received the money that was owed to us by Rand Whitney, and that was a big help. Everyone has worked hard to keep the expenses down.

Discussion: Commissioner Thorn inquired regarding the amount of money received from Rand Whitney. Mr. Lynch stated it was in the amount of \$220,000. This amount of money was disputed earlier by Rand Whitney but it was determined they did in fact owe this amount.

A discussion was held regarding the replacement of water meters to cut down on unaccounted for potable water in the future.

i. Report from the Mayor

Mayor Jaskiewicz discussed contract issues regarding the WPCA employees. He hopes this will work itself out. He discussed a meeting with Rand Whitney scheduled for Tuesday, January 3, 2009.

j. Report from Special or Sub-Committees – Administrator Lynch indicated the Commission needs to appoint a liaison to the Planning & Zoning Commission to replace former Commissioner Jambor.

k. Report from the Engineers

Motion made by Commissioner Thorn, seconded by Commissioner Geary to move agenda item (k) until the Town Engineer is available for comment. Discussion: none. Voice vote: 4-0, all in favor, motion carried.

l. Old Business – none.

m. New Business

1. John and Barbara Brown of 1162 Old Colchester Road in Oakdale were present to dispute their sewer use bill for the past three quarters. Mr. Brown spoke indicating that on April 8, 2008 there was a house fire at his home located at 1162 Old Colchester Road. As a result of this fire the utilities to the dwelling were disconnected and the house was rendered uninhabitable due to extensive fire damage. He is requesting an exception to the Town's policy that indicates the homeowner is responsible for paying sewer usage bills even if the home is vacant because he believes his circumstances are a compelling hardship and his home is vacant. He stated there is an ongoing lawsuit regarding the property that will be tied up in the court system for up to two years if his case goes to trial. He indicated he will not be using the property until this time.

It was the consensus of the Commission to grant the homeowner an exception for payment and to pro-rate the payments up until the day of the fire if the homeowner provides Administrator Lynch and the Commission a letter stating their hardship. It was also the consensus of the Commission exceptions will be granted on a case by case basis for those with a hardship such as this as they does not want to set a precedence to open the door to waive fees for those who do not reside in their homes full time but the homes are inhabitable and they do not want to set themselves up for a lawsuit. Once the letter is drafted by the homeowner and received by Administrator Lynch, it will then be forwarded to the Attorney for review. It was determined by the Commission the sewer pipe must be capped and inspected by the Fire Marshal.

Motion made by Commissioner Thorn, seconded by Commissioner Geary to grant an exception for payment of sewer use charges for the past three billing quarters for the property located at 1162 Old Colchester Road in Oakdale, CT due to a compelling hardship due to a fire at this location that rendered the property uninhabitable. The homeowner will submit a letter to Administrator Lynch who will then forward the letter to the WPCA Attorney for review. If it is determined by the WPCA Attorney it is feasible to grant this exception, the homeowner will coordinate the specifics with Administrator Lynch regarding the pro rated payment for sewer usage and capping the pipe at this location. Roll Call Vote: 4-0. Voting in favor were Commissioners Geary, May, Thorn and Schober. Voting in opposition: none, motion carried.

2. Attorney Heller representing P&H Construction is requesting a determination as to whether or not Montville wastewater treatment plant has the capacity to provide service to the proposed seventy-two (72) condominium units and 7,680 sq ft of retail space. Attorney Heller indicated his clients, P & H Construction, LLC have entered into an agreement to purchase real property located at 636 Route 163 in Montville to purchase ten acres of tract land located at the intersection of Route 163 and Chesterfield Road. He indicated his client has revised its development plans for the combined properties as delineated on a conceptual plan entitled "Conceptual Plan Prepared for William Pieniadz Chesterfield Road & Connecticut Route 163 Montville, CT. His client is proposing to develop these combined properties for seventy two residential two bedroom condominium units with seven thousand six hundred and eighty square feet of associated neighborhood commercial development located along the property's frontage on the southwesterly side of Route 163 adjacent to the intersection of Route 163 and Chesterfield Road. He indicated his client intends to interconnect all improvements to the Montville municipal sewer system on Route 163 and to provide a potable water supply to this project by virtue of an interconnection to the community water system owned and operated by Southeastern Connecticut Water Authority currently servicing the Chesterfield Hills Estates project. Attorney Heller is requesting a determination as to whether or not the Montville wastewater treatment plant has the capacity to provide service to the proposed seventy two units as well as the seven thousand six hundred and eighty square feet of retail space. He is also requesting a determination as to whether or not the delivery system in Route 163 has sufficient capacity to serve this project and requests a tie in authorization to interconnect this project to the Montville municipal sewer system. He indicated the property as shown on the conceptual plan with the exception of possibly units 58 through 66 are all located within the exclusive service area of the Town of Montville as determined by the Water Utility Coordinating Committee. It is his clients intent to interconnect this project to the community water system owned and

operated by the Southeastern Connecticut Water Authority in the Chesterfield Hills Estates subdivision. In order to effect that interconnection, it will be necessary for the Town of Montville with the approval of the Water Utility Coordinating Committee to transfer and convey the exclusive service area for this property to the Southeastern Connecticut Water Authority. He is also requesting a determination as to whether or not the Town of Montville is willing to consider a transfer of the exclusive service area for the project properties from the Town of Montville to the Southeastern Connecticut Water Authority.

Discussion: Commissioner Thorn inquired if the retail space will require extra water usage. Attorney Heller stated that it would not. Mr. Didato stated he has sent this proposal to Rand Whitney for review and they have responded they do not foresee issues with this proposal and have no opposition to the proposal. Commissioner Geary stated it is not in the best interest of the Town to give up or transfer its exclusive service area to the Southeastern Connecticut Water Authority. Commissioner Thorn agreed, stating in the future the high school will connect to the system and giving up the area to SCWA might not be a good idea. Administrator Lynch inquired if the Town was to give up this area to SCWA if they would compensate the Town in another area of Town such as along Route 32. Commissioner May indicated he is not comfortable making a decision regarding this issue until he has had time to look over the information. Commissioner Geary suggested the issue of the water be placed on the March agenda for discussion. He inquired as to the proposed usage for the sewer use. Attorney Heller indicated it would be approximately fourteen thousand gallons per day but could go as high as twenty one thousand gallons per day.

SAR No. 2009-009. The Water Pollution Control Authority for the Town of Montville hereby resolves the Montville wastewater treatment plan has the capacity to provide service to the proposed seventy two condominium units and attached seven thousand six hundred and eighty square feet of retail space located at the intersection of Route 163 and Chesterfield Road, with the understanding the units will generate a maximum of twenty one thousand gallons per day. This resolution will expire in September, 2009 when the applicants are requested to come back to the Commission for review of the project. Roll Call Vote: 4-0, voting in favor of the adopting the resolution were Commissioners Geary, May, Schober and Thorn. Voting in opposition, none. Resolution adopted. It was the consensus of the Commission to add the discussion regarding water to the March agenda for discussion.

3. To appoint a liaison for Planning and Zoning from the WPCA.

Motion made by Commissioner Geary, seconded by Commissioner Thorn to nominate Commissioner May as the Planning & Zoning liaison for the Water Pollution Control Authority. Discussion: Commissioner Geary stated Commissioner May has years of experience as a commission member of the Planning & Zoning Commission and stated he would be the best candidate for the liaison. Mayor Jaskiewicz stated it is not the responsibility of the liaison to attend every Planning & Zoning meeting, only to consult with the Planning Director regarding issues pertaining to the Water Pollution Control Authority. Voice vote: 4-0, all in favor, liaison appointed.

Motion made by Commissioner May, seconded by Commissioner Thorn to discuss agenda item k (postponed from earlier in the agenda). Voice vote: 4-0, all in favor, motion carried.

k. Report from the Engineers – Richard Kruczek, URS Corporation, discussed the Status Report for Montville Facilities Plan Projects with the Commission. He discussed the following open projects;

Project 36937841 – Facilities Plan (CV \$243,750, B \$12,187.50)

Project 36937842 –I/I Study Phase I (CV \$143,970, B \$0)

Project 36937843 – Digital Database & Graphics (CV \$83,050, B \$40,694.50)

Project 36937954 – Rate Study (CV \$32,220, B \$14,821.20)

Discussion: Commissioner May inquired regarding the timeline for the installation of the new meters. Mr. Kruczek indicated they should be in sometime in March and requested a modification to the contract to include two additional meters to the eighteen already approved for a total to twenty meters. Mayor Jaskiewicz asked when the facilities plan will be complete. Mr. Kruczek stated it should be complete by August or September. A discussion was held regarding grant money.

Motion made by Commissioner May, seconded by Commissioner Geary to amend the current contract to reflect the purchase and installation of two additional meters for a total of twenty meters. Voice vote: 4-0, all in favor, motion carried.

n. To consider and act on referrals from Planning and Zoning – none.

o. To consider and act on the payment of bills.

SAR No. 2009-010. The Town of Montville Water Pollution Control Authority hereby resolves to pay invoices in the amount of \$12,617.40. Motion made by Commissioner Geary, seconded by Commissioner Schober to pay invoices in the amount of \$12,617.40 per Schedule A attached. Discussion: Mayor Jaskiewicz stated the list of bills must be attached to the minutes in case someone would like information regarding the bills. Administrator Lynch stated he spoke with the Town Clerk regarding this issue and she indicated it is permitted to authorize the payment of all the bills under one resolution as long as the list of bills paid is attached to the minutes for reference. Roll Call Vote: 4-0, voting in favor of adopting the resolution was Commissioners Geary, May, Schober and Thorn. Voting in opposition, none, resolution adopted.

p. Motion made by Commissioner Geary, seconded by Commissioner May to move the Executive Session to the end of the agenda after all Water Commission business. Discussion: none. Voice vote: 4-0, all in favor, motion carried.

II WATER COMMISSION

a. Report from Special or Sub Committees – none.

b. Report from Engineers – none.

c. Old Business

Administrator Lynch discussed the quarterly report from the Southeastern Connecticut Water Authority and the four million gallons of unaccounted for water. He stated they have stated they do not know where the water is leaking from and suggested it may be in the town meters. A discussion was held regarding the need for a leak survey. Commissioner Thorn stated this is a serious problem that needs to be addressed. He suggested replacing meters if they are old. Mr. Didato suggested a meter replacement program as many of the meters are aged.

d. New Business

Administrator Lynch discussed the proposed rate increase for all water service located within the Town of Montville Service Area billed on and after March 1, 2009. He discussed each of the rate increases with the Commission with an explanation for each. He suggested the Commission request a Public Hearing regarding this matter from the Town Council. Mayor Jaskiewicz stated he does not anticipate this rate increase will be well received from the public.

SAR 2009-011. The Town of Montville Water Pollution Control Authority hereby resolves to approve the proposed rate schedule for all water service located within the Town of Montville Service Area billed on and after March 1, 2009 and to forward the document to the Town Council for approval and Public Hearing. Motion made by Commissioner Geary, seconded by Commissioner Schober. Discussion: Administrator Lynch requested each Commission member attend the February 9, 2009 Town Council meeting to address the rate increase with the Council and to answer any questions they

may have. Roll Call Vote: 4-0, voting in favor of adopting the resolution was Commissioners Geary, May, Schober and Thorn. Voting in opposition, none, resolution adopted.

SAR 2009-012. The Water Pollution Control Authority for the Town of Montville hereby resolves to modify the authorized signers for the purchase policy for the Montville Water Pollution Control Authority. Motion made by Commissioner Geary, seconded by Commissioner Schober. Discussion: Commissioner Geary stated the authorized signatories should reflect the Chairman and Vice Chairman and the Commission should remove Commissioners Geary and Jambor as the signatories and to add the names of Commissioners May and Thorn. The Authority accepted Attorney Oschners suggestion that the policy merely state the WPCA Chair and Vice Chair without names be included in the signatory policy. Roll Call Vote: 4-0, voting in favor of adopting the resolution was Commissioners Geary, May, Schober and Thorn. Voting in opposition, none, resolution adopted.

e. To consider and act on the payment of bills.

SAR 2009-013. The Water Pollution Control Authority for the Town of Montville hereby resolves to pay bills in the amount of \$2,430.00 as per Schedule B. Motion made by Commissioner Geary, seconded by Commissioner Thorn. Discussion: none. Roll Call Vote: 4-0, voting in favor of adopting the resolution was Commissioners Geary, May, Schober and Thorn. Voting in opposition, none, resolution adopted.

I p. Executive Session: Motion made by Commissioner Geary, seconded by Commissioner Thorn to enter into Executive session for the purpose of discussions regarding billing issues and to discuss personnel issues. Executive Session to include all Commission members, Michael Didato, Administrator Lynch, Town Engineer Richard Kruczak, Mayor Jaskiewicz and Attorney Ronald Oshsner. Discussion: none. Voice vote, 4-0, all in favor. Commission left Council for Executive Session at 8:40 p.m. and returned from Executive Session at 9:37 p.m. and resumed the public meeting. Chairman May indicated no formal votes were taken during Executive Session. The first Executive Session involved billing issues and the proposed sewer rate study by URS. This portion ended at 9:17 p.m. and Mr. Richard Kruczak left the session. The second portion of the Executive Session involved negotiations issues regarding the water system operations issues and water user rates and this ended at 9:37 p.m. There were no discussions regarding personnel issues.

Motion made by Commissioner Geary, seconded by Commissioner Thorn to add the following resolutions to the agenda:

1. The Water Pollution Control Authority for the Town of Montville hereby resolves to accept the Sewer Use Rate Study dated January 27, 2009 submitted by URS Corporation of Rocky Hill, CT;
2. The Water Pollution Control Authority for the Town of Montville hereby resolves to set the date for a Public Haring regarding Sewer Use Rates for March 2, 2009 at 6:30 p.m. at the Montville Town Hall in the Town Council Chambers.

Voice vote, 4-0, all in favor, motion carried. Items added to the agenda.

SAR 2009-014. The Water Pollution Control Authority for the Town of Montville hereby resolves to accept the Sewer Use Rate Study dated January 27, 2009 submitted by URS Corporation of Rocky Hill, CT. Motion made by Commissioner Geary, seconded by Commissioner Thorn. Discussion: none. Roll Call Vote: 4-0, voting in favor of adopting the resolution was Commissioners Geary, May, Schober and Thorn. Voting in opposition, none, resolution adopted.

SAR 2009-015. The Water Pollution Control Authority for the Town of Montville hereby resolves to set the date for a Public Hearing regarding Sewer Use Rates for March 2, 2009 at 6:30 p.m. at the Montville Town Hall in the Town Council Chambers. Motion made by Commissioner Geary, seconded by Commissioner Thorn. Discussion: none.

Roll Call Vote: 4-0, voting in favor of adopting the resolution was Commissioners Geary, May, Schober and Thorn. Voting in opposition, none, resolution adopted.

III. Remarks from the Public – none.

IV. Remarks from the Commission Members – none.

V. Adjournment – Motion made by Commissioner Geary, seconded by Commissioner Thorn to adjourn the meeting at 9:42 p.m. Discussion: none. Voice vote: 4-0, all in favor, motion carried. Meeting adjourned.

Respectfully Submitted by:

Audrey Ulmer,
Recording Secretary for the Montville Water Pollution Control Authority