

Town of Montville Water Pollution Control Authority
Meeting Minutes of Monday, November 1, 2010
Town Council Chambers – 7:00 p.m.

1. Water and Sewer Commission

a. Call to Order

Chairman May called the regular meeting to order at 7:00 p.m.

b. Pledge of Allegiance

c. Roll Call

Present were Commissioners Hillman, May, Schober, Siragusa and Thorn. Also present was Attorney Ron Ochsner, Mayor Jaskiewicz, Administrator, Brian Lynch, Superintendent Michael Didato and Engineer, Richard Kruczek.

d. Alterations to the Agenda – none.

e. Motion made by Commissioner Hillman, seconded by Commissioner Siragusa to approve the meeting minutes of the October 4, 2010 regular meeting, the October 4, 2010 Public Hearing and the October 13, 2010 Special Meeting. Discussion, none, voice vote, 5-0, all in favor, motion carried.

f. Communications pertaining specifically to matters which concern the Commission – none.

g. Remarks from the Public Regarding Items on the Agenda

Chairman May inquired three times if there was anyone from the public who would like to come forward to address the Commission.

h. Report from Operations Division

Superintendent Michael Didato stated his monthly operating report for the month of October, 2010 was included in the meeting package for everyone to review. He discussed item #5 of his report, stating a crew from Cortex has completed the last phase on the study of the condition of the Rand Whitney pipelines and a draft report is included in the Commission package. A discussion was held regarding replacement of the entire pipeline vs. replacement of only the problem areas. He stated he will have a clearer picture of what direction they are going to take for report at the next meeting. He stated meter replacement for potable water is approximately half complete. Commissioner Hillman inquired as to why the WPCA is paying for traffic control for work conducted by URS and Administrator Lynch stated these costs were addressed and incorporated into the costs of the Study as well as in the signed contract with URS. Mayor Jaskiewicz stated all new construction and existing businesses must abide by the mandated State Statute regarding grease traps in 2011.

i. Report from the Administration Division

Administrator Lynch updated the Commission regarding the bid process for the Booster Pump Station, stating the bids were opened on Friday, October 29, 2010 in the presence of the Mayor and the Finance Director. Twenty one bid packages went out and fourteen were returned. The low bid came in much lower than expected at approximately \$481,000. The low bid is being reviewed for accuracy and as soon as it is returned the project can move forward. He stated three of the lowest bids were within \$10,000 of each other. It was a close bid and he is pleased with the numbers. A discussion was held regarding hooking two homes to the municipal water system that are on the fringe of contamination and finishing the loop on Pequot Road.

j. Report from the Mayor

Mayor Jaskiewicz stated he is pleased the bid for the Booster Pump Station came in lower than expected. He discussed the proposal to hook up the homes with wells that are close to being contaminated and stated it is a good thing to do and encouraged the continued open dialogue regarding regionalization of services with COG and the Mohegan Tribal Authority.

k. Report from the Commission Attorney on Matters Referred

Attorney Ochsner discussed findings regarding maintaining and servicing fire hydrants located on private property. He stated he looked into this matter and discovered there is no specific ordinance for maintenance of privately owned fire hydrants. He indicated many towns do charge for maintenance but in order for the Town to charge for these services it will require a valid ordinance to do so. A discussion was held regarding the fee structure used in the City of Norwich and the monthly charge to the private hydrant owners. Superintendent Didato stated it is in the best interest of the Town to continue to maintain the private hydrants to ensure they are in working order in case of emergency until the proposed ordinance is adopted. Discussions were held regarding liability issues for entering private property for the purpose of maintaining the fire hydrants.

Commissioner Hillman inquired regarding the number of privately owned fire hydrants that have easements attached to them. She suggested establishing a policy regarding maintenance of private hydrants, and stated if the private property owners choose not to use the town for this service they must show proof of maintenance from a company qualified to maintain them. Superintendent Didato stated there is a need for some cooperation from the property owners for this to be effective. Chairman May suggested the need for legal clarification regarding the maintenance of the fire hydrants.

Attorney Ochsner stated he has drafted an ordinance for discussion and review at the next Town Council/WPCA joint sub-committee meeting. He indicated if all changes are reviewed and accepted at this meeting the document can be forwarded to the Town Council for adoption. There is a Special Meeting of the Joint Sub-Committee scheduled on Wednesday, November 10, 2010 at 5:00 p.m. He asked everyone to submit their comments to him prior to Wednesday so that he can incorporate them into the ordinance prior to the meeting. He discussed the revision to the Rules and Procedures document and Chairman May stated he would like to schedule a special meeting regarding the Rules and Procedures document next week and asked the Commission secretary to send out and email to the Commissioners to determine the best date and time to hold the meeting. Attorney Ochsner indicated both attorneys have reviewed the document. He discussed the RFQ and associated documents for the Rate Study and indicated he has reviewed the preliminary draft.

2. Sewer Commission

a. Report from Sub-Committees – none.

b. Report from Engineers

Richard Kruczek, URS Corp. reviewed his Status Report for the Montville Facilities Plan Projects with the Commission. He distributed copies of the original questions asked by Chris Clark at the Public Hearing with his answers after each one as well as a draft of a document regarding responses to Commissioner Hillman's comments regarding the Montville Facilities Plan Project #36937841 for the Commission to review. He stated he will have a finished set of contract documents for the first week of November regarding the SBR Blower Mod. Northeast Utilities has been contacted regarding their grant contribution to the program. The smoke testing is complete and there were minor findings related to an indirect cross connection between the storm and sanitary systems. He discussed the results of the building inspection survey. Commissioner Hillman inquired regarding a letter from Mr. Robert White, Jr. dated October 18, 2010 that was included in the Commission packet and asked if his concerns are being addressed. Administrator Lynch stated Mr. White did not email the WPCA office with his concerns

as he stated he would, but he did send the letter and he included it in the packet as an FYI and forwarded the letter to URS to incorporate in their public hearing comment materials. Commissioner Thorn stated #2 of the letter is an invalid concern.

c. Old Business

1. To consider and act on a motion to review and discuss the final amendments to the WPCA Rules and Procedures document. Motion made by Commissioner Hillman, seconded by Commissioner Siragusa to postpone this discussion until a special meeting can be set to discuss this matter in detail. Discussion, none, voice vote, 5-0, all in favor, motion carried.

2. To consider and act on a motion to discuss updates regarding the transfer of finances to the WPCA. Motion made by Commissioner Hillman, seconded by Commissioner Schober to remove this from the agenda. Discussion: Mayor Jaskiewicz indicated this item was discussed at a previous meeting and it was determined the transfer of finances would be postponed until January, 2011. Voice vote, 5-0, all in favor, item removed.

3. SAR 2010-032. The Town of Montville Water Pollution Control Authority hereby resolves to issue a Request for Qualification for a Sewer Use Rate Study for the sanitary sewer collection and treatment system. Motion made by Commissioner Schober, seconded by Commissioner Thorn. Discussion: Administrator Lynch inquired if the Commission has a preference for where he should advertise to attract the most response. The Commission agreed to advertise in the trade papers, major newspapers as well as the local newspapers. Roll call vote, 5-0, voting in favor of adopting the resolution were Commissioners Hillman, May, Schober, Siragusa and Thorn. Voting in opposition, none, resolution adopted.

d. New Business

1. The Town of Montville Water Pollution Control Authority hereby resolves to pay bills in the amount of \$306,423.00 as depicted in Schedule A, attached. Discussion: A discussion was held regarding upcoming legal bills and Commissioner Hillman requested Administrator Lynch provide the Commission with copies of bills prior to the time the payments are due. Administrator Lynch indicated he did not foresee a problem with providing the bills but did not want them to be confused with the bills that are being paid each month. Motion made by Commissioner Hillman, seconded by Commissioner Siragusa to amend the motion to reflect the amount of \$306,423.30 as depicted in Schedule A. Discussion, none, voice vote, 5-0, resolution amended as follows;

SAR 2010-033. The Town of Montville Water Pollution Control Authority hereby resolves to pay bills in the amount of \$306,423.30 as depicted in Schedule A, attached. Discussion: Administrator Lynch stated the amount of the bill is considerably higher this month because the legal bills are due for the legal representation during the arbitration with Rand Whitney. Roll call vote, 5-0, voting in favor of adopting the resolution were Commissioners Hillman, May, Schober, Siragusa and Thorn. Voting in opposition, none, resolution adopted.

A discussion was held regarding the need to verify the legal bills as they come in for accuracy. Administrator Lynch discussed a payment plan he established with the law firm to pay off the bills in installments as they are a substantial amount of money. He pays monthly over time for the outstanding balance.

Motion made by Chairman May, seconded by Commissioner Hillman to take a ten minute break. Discussion, none, voice vote, 5-0, all in favor. Commission began a ten minute break at 8:30 p.m. Chairman May resumed the meeting at 8:40 p.m.

2. To consider and act on a motion to approve and forward to the Town Council and 8-24 review for a land exchange between the Water Pollution Control Authority property and GL&C construction property located at Pink Row.

3. To consider and act on a motion to approve and forward to the Town Council and 8-24 review for the acquisition of the waste water pump station located at 82 Jerome Road (Village Apartments).

Motion made by Commissioner Hillman, seconded by Commissioner Thorn to remove items d (2) and d (3) from the agenda. Discussion: a discussion was held regarding the status of each of the 8-24 reviews. It was determined item #2 (Pink Row) will need to go back to Planning & Zoning for a continuation of the 8-24 review and then forwarded to the Town Council for approval and Commissioner Hillman stated she will place item #3 (Village Apartments) on the Town Council agenda for this month. Voice vote, 5-0, all in favor, items removed from the agenda.

4. Motion made by Commissioner Hillman, seconded by Commissioner Thorn to approve the 2011 meeting dates for the Water and Sewer Commission as depicted in Schedule B, attached, and to file the approved dates with the Town Clerk. Discussion, none, voice vote, 5-0, all in favor, motion carried.

5. To consider and act on a motion to set a date for a public hearing regarding the Town of Montville Water Pollution Control Authority updating its Facilities Plan to determine the sewage collection and treatment needs of the community for the next twenty years. Motion made by Commissioner Hillman, seconded by Commissioner Schober. Discussion: Chairman May stated he would like clarification that there was no discrepancy in the materials distributed at the public hearing and the actual reports and would like verification that Mr. Chris Clark's questions were answered during the public hearing. Administrator Lynch stated he will be meeting with Chris Clark to discuss any issues he may have with the Facility Plan. Commissioner Hillman indicated Mr. Clark was interrupted several times while he was asking questions of URS and she stated during a public hearing there should be no time limit to speak. Mr. Kruczek indicated there were no discrepancies between the documents presented at the public hearing and Administrator Lynch indicated there were no complaints made to the office regarding the public hearing. Attorney Ochsner discussed protocol for a public hearing and indicated he did not see any problems with the public hearing as it was held. Voice vote, 0-5, all opposed, motion failed.

6. Motion made by Commissioner Hillman, seconded by Commissioner Siragusa to set the date of Wednesday, November 10, 2010 at 5:00 p.m. in the Town Council Chambers for a Special Meeting to discuss issues regarding Rand Whitney. Discussion, Chairman May indicated he would like to bring the Commissioners up to speed regarding ongoing issues. Voice vote, 5-0, all in favor, motion carried.

3. Water Commission

- a. Report from Sub-Committees – none.
- b. Report from Engineers – none.
- c. Old Business – none.
- d. New Business

Administrator Lynch discussed a meeting he had with Mayor Jaskiewicz and Chris Clark regarding regionalizing the water and water supply and combining resources to benefit everyone involved.

4. Executive Session

- a. To consider and act on a motion to enter into Executive Session for the purpose of discussions regarding litigation regarding the Rand Whitney arbitration. Motion made by Commissioner Hillman, seconded by Commissioner Thorn to postpone this discussion. Discussion, none, voice vote, 5-0, all in favor, motion carried.

b. To consider and act on a motion to enter into Executive Session for the purpose of discussion regarding the employment contract between the Town of Montville and WPCA Superintendent Michael Didato. Motion made by Commissioner Hillman, seconded by Commissioner Thorn to remove this item from the agenda. Discussion, none, voice vote, 5-0, all in favor, motion carried.

Motion made by Commissioner Hillman, seconded by Commissioner Schober to forward the employment contract between the Town of Montville and WPCA Superintendent Michael Didato to the Town Council with a favorable recommendation for approval. Discussion, none, voice vote, 5-0, all in favor, motion carried.

5. Remarks from the Public – none.

6. Remarks from the Commissioners

Administrator Lynch wished Commissioner Siragusa good luck with his election on Tuesday.

7. Adjournment

Motion made by Commissioner Schober, seconded by Commissioner Thorn to adjourn the meeting at 9:15 p.m. Discussion, none, voice vote, 5-0, all in favor, motion carried. Meeting adjourned.

Respectfully Submitted by:

Audrey Ulmer, Recording Secretary for the Town of Montville