

Town of Montville Water Pollution Control Authority
Special Meeting Minutes
Wednesday, March 23, 2011 – 6:30 p.m. – Town Council Chambers

1. Call to Order

Chairman May called the special meeting to order at 6:30 p.m.

2. Pledge of Allegiance

3. Roll Call

Present were Commissioners Hillman, May, Schober, Siragusa and Thorn. Also present was Attorney Ron Ochsner and Superintendent Michael Didato.

4. Remarks from the Public Regarding Items on the Agenda

Chairman May asked three times if there was anyone from the public who would like to address the Commission and there was none.

5. New Business

a. Motion made by Commissioner Hillman, seconded by Commissioner Thorn to interview representatives from Wright-Pierce of Middletown, Connecticut for Rate Consultant Services for the Town of Montville. Discussion, none, voice vote, 5-0, all in favor, motion carried.

Chairman May explained to the representatives of Wright Pierce that the Commission has a list of nine questions asked of the company interviewed by the Commission on Tuesday that are pertinent to the Town of Montville WPCA's situation and what the WPCA is looking for in a company, and asked that the nine questions be answered during the presentation or at the end of the presentation if they so choose.

Mr. John Braccio with Wright Pierce, Victor Krea and Chris Pierce distributed color copies of the power point presentation for the Commission to follow along with. (See attached Schedule A) He thanked the Commission for inviting his company to the interview. They reviewed their qualifications, relevant experience and pointed out key staff that will be in charge of the Rate Study. Mr. Braccio stated Wright Pierce is a full service, New England based engineering firm with all types of engineering capabilities in house for water projects. They have been in business for over sixty four years with one hundred and seventy five employees with offices throughout New England. He and Mr. Pierce are based in the Middletown office and stated municipal wastewater engineering represents the majority of what the company does but they also do industrial wastewater engineering. They also are proficient with water and civil. They have extensive experience with wastewater projects that include Rate Studies, inter-municipal agreements, and industrial municipal type agreements. He explained this company is currently involved with wastewater project in New Hartford CT. He stated he will be responsible for the QAQC attending meetings if there is a need to. Mr. Pierce has had involvement with working for Rand Whitney and is familiar with the technical issues and relationship back and forth and this may be an advantage to get a perspective of how the interrelation is from a technical standpoint. Mr. Victor Krea has thirty six years experience in the wastewater business and he is a wastewater engineer and has an MBA. If there was a need for someone to support any type of litigation or negotiation type issue the company will utilize the expertise of Mr. Michael Giggey. Relevant experience includes working with many communities on impact analysis, financial impact analysis, long term rate structure setting up systems, and sewer use rate studies are common, they have updated sewer use ordinances, update or develop industrial user agreements and establishing pre-treatment programs and local limits. His company understands the various inner relationships of all of these things as they relate to Rand Whitney. In

Connecticut, the closest project from an industrial/municipal stand point is work in Danielson, CT and Killingly to fine tune and re-do their industrial user agreement with Frito Lay Company. They had issues with how the cost sharing was divided and the impacts of their facility on their community. This would be the most parallel job in Connecticut for comparison to Montville. He understands the Town of Montville must provide Rand Whitney with highly treated water back to them and there is a usage percentage set by the legal agreements that were established by the parties agreement and arbitrators. The key issue is a need to generate enough user fee to make sure the budget is funded properly and to make sure it is equitable not only for Rand Whitney but for residential and commercial customers as well. The goal is to evaluate whether or not Rand Whitney's cost percentages required by the legal action agreed to is correct or is there a better way to accomplish this. Mr. Victor Krea discussed his project approach and work plan, stating it is in the proposal for review.

The representatives reviewed and answered the following nine questions asked at the previous interview held on March 22, 2011;

1. State the qualifications, certifications, and experiences of the engineers who will be responsible for determining the rate cost percentages with respect to the Rand Whitney contract with the Town of Montville.
2. Have any of the engineer(s) and or technical staff working on rate studies ever been subject of a professional disciplinary action or called to defend their work in a case against you or your client?
3. Is anyone in your engineering firm performing any type of work for the Town of Montville or Rand Whitney Containerboard? And have they done any work for either party in the last five years?
4. Has your firm ever participated in a rate study where there was a paper industry with high BOD and TSS discharged into the town system, and how did you evaluate them?
5. Has the engineer(s) you anticipate being in responsible charge of these two studies previously prepared the following;
 1. a sewerage treatment rate based upon a contractually agreed method;
 2. A system wide rate study?
6. Can you give us an overview on the steps your firm will take as they prepare to gather information on the rate study, and will your study be based on established precedent that may be challenged in an arbitration hearing?
7. Can you give us examples of the systems that you have performed rate studies on and how they might be pertinent to our system?
8. Will your firm be prepared to support and defend your Rate Study with documentation and expert witnesses in the even of litigation? Has anyone on your team ever been subject to a deposition?
9. Can you support a timeline or completion date for the scope of work required at this rate study on or before June 1, 2011?

The Commission inquired if the company is certain they could have the Rate Study completed by June 1, 2011 and they indicated they would required one hundred and eighty days to complete the Study but will meet to determine if they can conclude sooner and get back to the Commission prior to Monday with its findings. Chairman May pointed out the WPCA recently had an arbitration ruling and many of the line items have been clearly defined before the town had an existing rates structure and there are definite guide posts when it comes to the line items and the rate. He read through the proposal and stated he is impressed the company has a good grasp of what the town needs. He stated the WPCA's goal is to set up and validate a Rate Study and send it to a public hearing and set the rates in the July/August time frame. Commissioner Thorn stated the company did a great job answering the questions asked in the presentation and stated they will need to be concerned that all the I's are dotted and every T is crossed because everything they do will be under a microscope and in scrutiny. The Commission inquired

if the members of the team would be equipped to defend the Rate Study and to go to court and be deposed if necessary and they answered they are ready and willing if need be. Chairman May stated the Commission will make a decision and appoint one of the two companies interviewed to conduct the Rate Study on Monday, March 28, 2011 at 6:00 p.m. in the Town Council Chambers.

6. Remarks from the Commissioners

7. Motion made by Commissioner Hillman, seconded by Commissioner Schober to adjourn the meeting at 8:30 p.m. Discussion, none, voice vote, 5-0, all in favor, motion carried.

Respectfully Submitted by:

Audrey Ulmer, Recording Secretary for the Town of Montville