

****Draft****

**Town of Montville Water Pollution Control Authority
Meeting Minutes of September 10, 2009
Town Council Chambers – 7:00 p.m.**

I Water Pollution Control Authority

a. **Call to Order** – Chairman May called the 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, Thorn (7:06 p.m.) and Siragusa. Absent was Commissioner Schoeber. Also present were Administrator Brian Lynch, Superintendent Michael Didato, Mayor Jaskiewicz, Attorney Eric Knapp and Engineer Richard Kruczek.

d. Motion made by Commissioner Geary, seconded by Commissioner Siragusa to approve the August 3, 2009 meeting minutes. Discussion: none. Voice vote: 3-0-1, Commissioner Siragusa abstained from the vote because he was not at the August meeting. Motion carried.

e. **Communications**

Administrator Lynch reviewed the following correspondence with the Commission;

1. A correspondence from the Uncas Health District dated August 14, 2009 stating the District has reviewed the Sewer Use Rules and Regulations and found them to be comprehensive and acceptable. He thanked Superintendent Didato and Mr. McNally for all their help with this matter.

2. A letter from the State of Connecticut Department of Environmental Protection regarding a Notice of Sale of Equivalent Nitrogen Credits. The DEP established the annual value of an equivalent nitrogen credit of \$4.50 for the calendar year 2008. The amount for the nitrogen credits sold by the Town of Montville for 2008 is in the amount of \$18,035.00.

3. A notice from Town Clerk Lisa Terry regarding the Notice of Enactment of Amending Ordinance for the Sewer Use Ordinance. The amending ordinance replaces Article IV of Chapter 313 of the Town Code.

4. A letter from Rand Whitney Containerboard, L.P. addressed to the WPCA requesting the Authority perform the annual audit and certification of its books and records of total O & M costs and to forward the audit findings as soon as it is complete.

5. The first Town of Montville WPCA newsletter has been drafted to go out in the next billing cycle. The newsletter contains information regarding office hours, commission members, the WPCA Commission, price increase information, and introduction of the WPCA staff and procedures for setting up online accounts for payments. Administrator Lynch thanked Maureen for a job well done putting the newsletter together.

Administrator Lynch discussed a response from Attorney Oschner regarding allegations Attorney Chase made toward the WPCA and its Commission. The determination of Attorney Oschner is that the WPCA and its Commission have been conducting its meetings correctly and the allegations Attorney Chase made against the WPCA and its Commission are wrong. The Commission is acting correctly.

f. **Remarks from the Public Relating to Matters on the Agenda** – none.

g. **Report from the Operations Division**

Superintendent Michael Didato discussed his monthly operating report for the month of August, 2009.

1. With the available data to date the Water Pollution Control Facility (WPCF) was in full compliance of its NPDES permit for August.
2. There were no treatment plant odor complaints during the month.
3. Sludge thickness averaged 6.2% in August.
4. An average of 105 lbs/day of nitrogen in the discharge last month. The limit for the calendar year 2009 is 139 lbs/day.
5. There was a problem with the VFD that runs one of the main pumps. It was replaced under the contract with Rockwell saving approximately \$14,000.
6. Demand Direct pays the WPCA money for shedding power of the grid when electrical demand is high. There was a problem with the instrumentation used to provide Demand Direct the information on the electrical use. The instrumentation was repaired in house after re-wiring a signal converter.
7. A scheduled mock emergency power outage was held at the main facility. The staff had hands on opportunity to make all the necessary control changes. This experience has great advantages over reading an SOP or reading directions during and emergency situation. About a week after the mock emergency power outage drill staff was called upon with a real ISO New England event. Everything went well with one exception, one

of the generator transfer switches did not transfer back to line power. This was corrected after a field technician adjusted some of his previous settings.

8. On August 14 there was an unrelated power outage in many parts of Montville. Pump station generators, portable generators and the septic truck were all used to maintain collection system integrity.

9. In August there was a major DEP compliance inspection. In the past the inspection took less than one day to complete and was reserved to just the main facility. This year it was much more extensive and took three days to inspect pump stations and the main facility. All went well with no violations.

Collection System – The surge valve discussed last month at the Avery II Pump Station has been replaced and is operating well. The home located on 121D Kitemaug Road has been disconnected from the sewer system. There were problems at the Massapeag Pump Station with a float control system that required an ultrasonic unit to be fixed.

Projects and Connections – Village Apartments now have an alarm system and a by-pass pit. An emergency generator is there but not connected as of yet. The Tyl School has installed a grease trap.

Potable Water – The owners of 267 Maple Avenue are looking to tie into water. Administrator Lynch is looking into if it will be covered under the remediation project. Hydrant flushing has been completed and it was found five hydrants had to be taken out of service and will be fixed or replaced as soon as possible. Mr. McNally met with representatives of Norwich Water at the Cook Drive Water Tower. During this meeting he was afforded the opportunity to learn how the tank operates and about the cathodic protection. A water line was leaking on the Faria's property that feeds their fire suppression system. Water was secured to the property and the facility manager was called immediately. The ruptured pipe has been repaired. The owner of 41 Golden Road complained about a high water bill. The meter was changed out and calibrated and was found to read slightly slower not faster in favor of the customer. Water service was turned back on to 27 Dock Road.

h. Report from Administration Division

Administrator Lynch discussed the following in his September Administrator's Report;

1. After speaking with Mr. Kruczek from URS, the WPCA will need to enter into an agreement to swap land with the owners of the abutting property. The preliminary plans from the Facilities Plan indicated that the WPCA will need to build more SBR's. WPCA is proposing to swap sections of their property along Horton Cove and a parcel along the northern section of the plant. The total of Town of Montville land is 1.76 acres and is valued at \$84,000. The property owned by GL&C Construction is 3.4 acres and is valued

at \$118,000. There are going to be Planning & Zoning and Town easement issues to work on before we can finalize the transaction.

2. After interviewing for the Potable Water Operator, an excellent person to fill the position was hired. Although there were several good candidates to choose from, Greg Besetti brings over thirty years of knowledge to the Town of Montville WPCA. Administrator Lynch introduced Mr. Besetti to the Commission and welcomed him aboard.

3. Regarding the pending court case, Administrator Lynch has not heard anything to date and it looks like the Judge is going to take the full amount of time he is allowed to make his decision. He will get in touch with the Commission members if and when he hears anything.

4. The design plan of the Water Booster Pump Station is nearly completed. Contact has been made with the land owner regarding an easement. It looks like it is going to encroach on the Town's right of way. Planning & Zoning stated a variance is not required because this is a Town Utility.

5. A copy of the first edition of the Montville WPCA Newsletter has been drafted. Maureen has worked hard to make the first addition look nice and friendly. It covers the basics of the WPCA in the article and informs residents regarding the rate increase.

6. Administrator Lynch, Mr. Kruczek, Superintendent Didato and Attorney Oschner attended last months Town Council meeting. The Public Hearing over the Sewer Use Ordinance was held prior to the regular meeting. There was discussion regarding some of the content of the ordinance. The Town Council approved the ordinance.

i. **Report from Mayor Jaskiewicz**

Mayor Jaskiewicz discussed micro-paving along Maple Avenue. He stated Public Works did a great job and this should last for several years.

j. **Report from Special or Sub-Committees – none.**

k. **Report from Engineers**

Richard Kruczek, URS Corporation, discussed his status report for the Montville Facilities Plan Projects with the Commission. He discussed the SBR System, stating during the past month he obtained the final design criteria from the SBR manufacturer which has been reviewed and the concept has been approved. There will be three new SBR tanks that have the equivalent tank volume of the existing six tanks. The new tanks will be located west of the existing tanks on the side hill. A portion of this area may have some unsuitable material which likely will have to be removed prior to construction of the new tanks. Since each of the new tanks is larger than the existing tanks the only open

area large enough to accommodate the new tanks is at this location. He suggests the boring program be initiated now to determine the extent of the unsuitable material because this could have an impact on the cost of construction of the new tanks. He suggests fourteen borings at a cost of \$15,000.

Chairman May suggested the borings be done on the property next door at the same time in order to save the Town a little money. He requested a separate report for this exploratory boring.

Mr. Kruczek discussed the extension of the Facilities Plan to include the Oxoboxo area. He indicated DEP suggest this modification and there may be a 55% funding available from the State to do so. He stated it will cost approximately \$55,000 for the additional portion of the Study and this will include samples from the water and wells. He presented a map and discussed the four types of flow, infiltration, inflow, rain induced infiltration and indirect inflow.

Administrator Lynch indicated he will schedule a meeting to discuss an amendment to the Facilities Plan to include the Oxoboxo area. He stated this may require a Special Meeting to discuss the issues.

l. **Old Business** – none.

m. **New Business**

Motion made by Chairman May, seconded by Commissioner Thorn to move agenda item II - Water Commission (d) for discussion under m. New Business (1). Discussion: none. Voice vote: 4-0, all in favor, motion carried.

1. **Homeowners of 35 Haughton Park #2 requesting a letter regarding their well that had to be drilled twenty years ago when the sewer line was being installed.**

Chairman May invited anyone who wishes to speak regarding this agenda item forward.

Leo Chomin, realtor representing the buyers of 35 Haughton Park #2 came forward to address the Commission. He explained when the survey was done on the property it was determined the well for this location is located on the adjacent commercial property. He inquired regarding who is responsible for this mistake and how to move forward from here.

Attorney Eric Knapp gave his determination, stating the statute of limitation for this has long since passed and it is a property dispute between the two property owners. He stated this may require an easement for the well and the radius around the well. He stated there are no liability issues on behalf of the Town and it is up to the Town as to whether or not they want to get involved in helping out with this matter. He made it clear the Town has no liability for something it may or may not have had anything to do with so

many years ago. The statute of limitation for something like this is three years and this is over twenty four years old. He suggested the homeowners work with the Probate Court to work on an easement to resolve these issues and to speak with the abutting land owners to work out the issues and obtain an easement.

Mr. Chomin stated he will contact FHA to get a determination if an easement will work in this case.

Chairman Thorn stated the opinion of Attorney Knapp should be the extent of the involvement of the WPCA in this matter.

n. **To Consider and Act on Referrals from Planning & Zoning** – none.

o. **To Consider and Act on the Payment of Bills**

SAR 2009-039 – The Water Pollution Control Authority for the Town of Montville hereby resolves to pay invoices in the amount of \$10,156.64 per attached Schedule A.

Motion made by Commissioner Thorn, seconded by Commissioner Geary. Discussion: Commissioner Siragusa requested clarification regarding a bill for mileage. Administrator Lynch stated he will look into it and report back with his findings. Roll call vote: 4-0, voting in favor of adopting this resolution were Commissioners Geary, May, Siragusa and Thorn. Voting in opposition: none. Resolution adopted.

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

II **Water Commission**

a. **Report from Special or Sub-Committees**

Commissioner Geary reported on the last meeting with SCWA regarding the proposed development involving 72 residential units and some commercial units to be located on Rte. 163 in Oakdale and situated in Montville's Exclusive Service Area for water supply. Several options were discussed. The first was SCWA providing water supply from its Chesterfield Division selling water to the Montville WPCA which would be the secondary water supplier to the customers. Another option would be a signed agreement between Montville and SWCA to initiate a request to the SECT WUCC for a transfer of the Exclusive Service Area for the project area. A further proposal by Montville is that if Montville in the future develops a water supply in this area, the SCWA customers in this development would be transferred to the Montville supply. SCWA indicated if this were to occur, SCWA may have to be compensated for certain expenses associated with expanding its Chesterfield Division. The compensation issue is unacceptable to the

WPCA. (In summary, the WPCA rejects transfer of ESA, and the idea of compensation to SCWA in the event of transfer of customers to the WPCA.)

Chairman May suggested a vote from the Commission regarding the exclusive water areas, stating he does not want the Town to give up their exclusive areas and would like the record to reflect their opinions.

Motion made by Commissioner Thorn, seconded by Commissioner Siragusa the Town of Montville Water Pollution Control Authority and Water Authority does not intend to give away or negotiate away any of its exclusive service area by sale, lease or transfer now or in the future. Discussion: none. Roll call vote: Voting in favor were Commissioners Geary, May, Siragusa and Thorn. Voting in opposition, none. 4-0, all in favor, motion carried.

b. **Report from Engineers** – none.

c. **Old Business** – none.

d. **New Business**

Administrator Lynch discussed a possible loophole he found in the rate structure for water connections. He discussed possible fixes for the problem with corrective wording in order to avoid problems in the future. He stated an amendment will have to get approval from the Town Council. Commissioner Geary suggested Administrator Lynch present the changes to the Commission with wording that is understandable. Chairman May suggested Administrator Lynch submit the suggested changes in writing to the Commissioners for review.

e. **SAR-2009-040. The Town of Montville Water Pollution Control Authority hereby resolves to pay bills in the amount of \$1,755.00 as per attached Schedule A.**

Motion made by Commissioner Geary, seconded by Commissioner Thorn. Discussion: none. Roll call vote: 4-0, voting in favor of adopting this resolution were Commissioners Geary, May, Siragusa and Thorn. Voting in opposition: none. Resolution adopted.

III **Remarks from the Public** – none.

IV **Remarks from the Commission Members** – none.

I p. **Executive Session**

Motion made by Commissioner Geary, seconded by Commissioner Thorn to enter into Executive Session for the purpose of discussions regarding potential litigation and to discuss personnel issue. Executive Session to include Commissioners Geary, May,

Siragusa and Thorn, Attorney Eric Knapp, Administrator Lynch, Superintendent Didato and Mayor Jaskiewicz. Discussion: none. Voice vote: 4-0, all in favor, motion carried. Participants left Chambers for Executive Session at 9:00 p.m.

Respectfully Submitted by:

Audrey Ulmer, Recording Secretary for the Town of Montville.

The Authority returned to the Council chambers at 9:24 p.m., and the chair stated no formal votes were taken in the Executive Session. The first session involved an update on the status of the court matter regarding arbitration with Rand Whitney Container Board. At 9:02 p.m. this session ended, and B. Lynch, M. Didato and Atty. Eric Knapp left the room. The second session involved an employment contract and included commission members and the Mayor ending at 9:22 p.m.

Commissioner Thorn moved that the Employment Agreement for WPCA Administrator be approved subject to ensuring the vacation provisions be consistent with the terms of Town policy, and the wording for "expenses" be deleted but adding that the expenses of administrator's duties be subject to invoices and vouchers and submitted for approval.

Seconded by Commissioner Geary. Discussion: None.

Roll call vote: Voting in favor: J. Geary, T. May, A. Siragusa and R. Thorn. 4 - 0 Motion Carried.

Motion to adjourn by Commissioner Siragusa. All in favor. 9:24 p.m.

Submitted by John Geary, Acting Recording Secretary

