

MINUTES OF THE WATER & WATER POLLUTION CONTROL AUTHORITY

Regular Meeting, November 19, 2009

The Regular Meeting of the Water and Water Pollution Control Authority began at 7:00 P.M. on the 19th of November 2009, in the Richard R. Martin Center, Senior Citizen Center Library, 120 Broad Street (Rear), New London, CT.

PRESENT: Barry J. Weiner, Chairman
Robert Grills
Mario Strafaci
Evelyn Louziotis
Glenn Hamler
Gregory Dziczek

ALSO PRESENT: Martin Berliner, City Manager
Joseph Lanzafame, Director of Public Utilities
Peter Vetter, Veolia Water
Kathryn Willis, Veolia Water
Lance Hodge, Citizen
Russell Dinoto, Citizen
Mary Weston, Citizen
Camille vanderPutten, Citizen
Susan & Bruce Silvestri, Citizens
Marianna Gaynor McGuirk, Recording Secretary

ABSENT: Wade Hyslop, Council Liaison

1.0 ORDER OF BUSINESS

Chairman Weiner called the meeting to order at 7:00 P.M. The secretary called the roll. A quorum was present. Chairman Weiner welcomed the City Manager, newly elected Councilor John Russell, and other guests and thanked them for attending this evening. He also noted that the City has hired a new director for the department. He added that he is not a stranger to the department as he has been serving as the consultant for the past few months. Chairman Weiner noted that Joseph M. Lanzafame, P.E. is a bright and energetic young man and welcomed him to New London.

2.0 CITIZEN PARTICIPATION

Upon motion of Evelyn Louziotis, seconded by Bob Grills, it was moved to take Item 7.0(4) to the floor. The motion carried unanimously.

Mr. Lance Hodge, 361 Vauxhall Street, New London, CT was present to discuss his concerns relative to a sewer backup at his property at 361 Vauxhall Street. After discussion *upon motion of Bob Grills seconded by Glenn Hamler it was moved to reimburse Mr. Hodge for \$205.00 (first bill) with stipulation that homeowner place a backflow preventer device on the lateral, and if this device is not installed any future claims will not be entertained. The motion carried unanimously.*

Upon motion of Glenn Hamler, seconded by Gregory Dziczek, it was moved to take Item 7.0(1) to the floor. The motion carried unanimously.

Mr. Russell Dinoto, 92 Washington Street, New London, CT was present to discuss his appeal relative to a water repair bill received for work done at his property as 92 Washington Street. His main concern was the amount charged for labor and equipment, which was \$1,271.56. Chairman Weiner informed Mr. Dinoto that Veolia did the work at his property at cost, and noted that although the City had no real responsibility to fix the problem, Veolia did so to alleviate Mr. Dinoto from being without water for the weekend. After discussion, *upon motion of Glenn Hamler seconded by Bob Grills, it was moved to reduce Mr. Dinoto's bill by \$475.00 (waiving the equipment charge). The motion carried unanimously. Marianna will send an adjusted bill.*

Upon motion of Evelyn Louziotis, seconded by Glenn Hamler, it was moved to take Item 7.0(5) to the floor. This motion carried unanimously.

Mary Weston, 45 Almer Street, Groton, CT was present to discuss her concern over a delinquent account, which was turned over to the Attorney for collection for property owned at 32 Walden Avenue, New London, CT by MSW Properties, LLC of which she is a member. She noted she is requesting that this account be removed from the lawyer as she has every intention of paying this bill, and was never informed by Veolia or the attorney that it was going to be sent to collections. Chairman Weiner noted that we have been down this road before and the W&WPCA ended up having to pay the attorney fees. He added that the attorney has incurred expenses

MINUTES OF THE WATER & WATER POLLUTION CONTROL AUTHORITY
Regular Meeting, November 19, 2009

and costs relative to this account, and he would **not recommend removing this account from legal without advice from our attorney relative to same**. After discussion, *upon motion of Glenn Hamler, seconded by Evelyn Louziotis, it was moved to send our attorney a communication requesting his input and advice as to this particular account, and whether we should continue to leave it with legal or consider removing it from legal and then work out a payment plan with Mary Weston. The motion carried unanimously. It was noted that we would inform Ms. Weston of the attorney's findings.*

Upon motion of Glenn Hamler, seconded by Evelyn Louziotis, it was moved to take Item 7.0(3) to the floor. This motion carried unanimously.

Camille vanderPutten, 34 Windward Way, Waterford, CT was present to express her concerns relative to work performed by Veolia Water relative to patching her driveway. She presented photos to the Authority and pointed out a specific area that she felt was a potential hazard for her five-year old child, and stated her fear is that he could trip in that area. Chairman Weiner asked Mr. Vetter if the repair was done according to standard and acceptable engineering practices. Mr. Vetter noted that it was and Chairman Weiner added that he felt we weren't responsible for anything more. After discussion, it was noted that Peter Vetter, Veolia Water would visit the property the next day and do a visual inspection of the driveway and report back to the homeowner and the W&WPCA. Mr. Vetter noted that it was not his recollection that it was 2-1/2 or 3 inches down, but if so he would reset it appropriately. Throughout discussion, it was noted that it is never a good idea to put a driveway over water pipes.

Upon motion of Glenn Hamler, seconded by Bob Grills, it was moved to take Item 7.0(2) to the floor. This motion carried unanimously.

Bruce J. Silvestri, 26 Bishop Street, Waterford, CT was present to discuss his concern over a leak he had at his property at 26 Bishop Street, Waterford, CT. He noted that to date he had to spend \$550.00 to Norman Wood, General Contractor and is anticipating a second bill from Bob Cassidy no amount determined yet. He added that he was present this evening to seek some relief on the bill as he is disabled and this has caused a hardship on his family. After discussion, *upon motion of Bob Grills, seconded by Glenn Hamler, it was moved to relieve Mr. Silvestri of a portion of the bill for the work done inside the house (for a maximum of up to \$220.00). The motion carried unanimously.* Mr. Silvestri also requested that someone from Veolia come to his home to look at his shutoff at the end of the driveway. Mr. Vetter noted that he would come by first thing in the morning. Chairman Weiner requested that the record show that Veolia will do a visual inspection tomorrow to see if there is anything they can do about the dip in the driveway.

3.0 MINUTES OF PREVIOUS MEETING

- (1) October 22, 2009 – Regular Meeting Minutes

Upon motion of Glenn Hamler, seconded by Evelyn Louziotis, it was moved to approve the October 22, 2009, Regular Meeting Minutes. The motion carried unanimously.

4.0 FOR THE INFORMATION OF THE AUTHORITY:

- (1) Tabled Agenda Items
(a) N/A
- (2) 10/8/09 Memo to Chairman Weiner from Brian Estep RE: Robert O'Grady – 182 Willetts Avenue, New London, CT -- File #21583
- (3) Email to Marianna McGuiirk from Joe Lanzafame RE: Meeting with Karl Acimovic RE: Dams and Update to the Authority relative to same

Mr. Lanzafame noted that during the week he met with Karl Acimovic as the Authority at the October 22, 2009 meeting requested that he check on the status of work performed relative to an invoice received in the amount of \$206.00. Mr. Lanzafame noted that it was a legitimate invoice and was for time spent on the phone with DEP relative to securing the last permit that we need to move forward with the Beckwith and Barnes Dam repairs. Mr. Lanzafame noted that the plans, specs, and permits are all in place to move forward with this project and go out to bid. Mr. Lanzafame added that he is looking into the cost sharing responsibility between New London and Waterford for this capital improvement. Mr. Lanzafame noted that the estimate was for approximately \$600,000.00 for the entire job. He added the estimate includes repair work to Beckwith Dam, which is in dire need of repair as the whole top of the dam is basically sheared off and the spillway is no longer level. Mr. Lanzafame asked the board whether or not they wanted to go out to bid over the winter and start construction in the spring. *Upon motion of Bob Grills, seconded by Glenn Hamler, it was moved to authorize Joe to proceed with the dam repairs as soon as possible. The motion carried unanimously.* Bob Grills noted that it would be interesting to see what the estimate was about 5 or 6 years ago when we started to discuss this project. Marianna will review the Dam file to see if she can locate information relative to same. Glenn Hamler asked how we would pay for this project and Mr. Grills noted that he believes there is money available as the project was set up but stopped by Mr. Acimovic not having the drawings or the permits in place.

MINUTES OF THE WATER & WATER POLLUTION CONTROL AUTHORITY
Regular Meeting, November 19, 2009

Upon motion of Evelyn Louziotis, seconded by Mario Strafacci, it was moved to receive for the record Items 4.0 (1) through 4.0(3) and take actions as dictated by the Authority. The motion carried unanimously.

5.0 **UNFINISHED BUSINESS**

5.1 **For the Information of the Authority to be received for the Record:**

- a) Veolia Monthly Contract Operations Report – Received --11/10/09
Peter Vetter reviewed the monthly report for the period of October 1, 2009 through October 31, 2009 and answered questions as raised by the Authority. In reference to Item c. he noted that the new hatch for PS#2 has been installed. He also stated that the new pump is in, has been installed and will be wired tomorrow. He added it took three full days for installation. Peter noted that as agreed last year, Veolia will rebuild the damaged pump and keep as a spare.

Peter Vetter noted that significant difficulties were experienced during the month as a result of various paving projects throughout the city. He added that the City was very accommodating; however, the State project on Colman Street required Veolia Personnel to respond to emergencies more than six times. The most serious were two manholes that were struck by milling machines on consecutive nights at 4:00 a.m. Both manholes required rebuilding the upper section and replacing the cover and frame. Mr. Vetter noted that Veolia sent bills to the State but doubts that the State will pay for same. He noted that the State said it is the subcontractor's responsibility and not that of the State. Mr. Vetter also noted on a separate occasion, the sewer was backed-up along Colman Street by what appeared to be asphalt. It was suspected that the contractor washed out their equipment into the sewer at the end of the job. Peter Vetter noted that this also was reported to the State.

There was a brief discussion regarding Beckwith Pump Station and Joe Lanzafame noted that there is a meeting scheduled for next week with Eric Muir from Malcolm Pirnie and the contractor to discuss issues relative to same.

Peter Vetter noted that since this report was written, Pump Station #4 has been turned over to Veolia. He added that there have been a few issues with the pumps but they are still being investigated. He stated that although Kovacs has pulled out and Veolia is operating same now, there is some confusion as to who is responsible for what. Joe Lanzafame noted that we are meeting with Dennis from AECOM next week to discuss final punch list. Peter Vetter noted that with regard to the pumps they seem extra stout. Peter requested that Joe look at the pumps to see if they were sized and purchased appropriately.

Kathryn Willis noted that the delinquency exemption has been removed from the Housing Authority accounts and interest has been applied.

Chairman Weiner requested Kathryn to provide a follow-up report on the meter test for 80 Lincoln Avenue. Kathryn noted that on November 16, 2009, Veolia Water tested the meter that was removed from 80 Lincoln Avenue. She added that at low-flow the meter tested 101.5%, which is 0.5% faster than AWWA Standards. She also noted that if the bill is adjusted to reflect a 1.5% error then there is a deduction of 900 cubic feet from the 60,000 cubic feet bill issued October 1, 2009. She stated this is a credit of \$13.86 for water and \$23.54 for sewer. This would bring his total amount due to \$2,462.32 (Original bill \$2499.72 - \$37.40 = \$2462.32) Chairman Weiner requested that Kathryn send Mr. Brown a letter with a corrected bill explaining to him what had transpired and work with him to set up a payment plan as agreed by the Authority at the October 22, 2009 meeting.

Peter expressed a concern about one of the topics discussed this evening with regard to the incident of the sand getting into the pipe at Mr. Silvestri's property and Mr. Murphy assisting the homeowner to solve the problem. He added typically a water utility would not extend that courtesy but he has advised his crew that they are agents of the City and to try to help if possible, but also added that he doesn't want to see this become a liability for Veolia or the City. Chairman Weiner noted for the record that our crews are second to none and they go above and beyond on many occasions and he personally thanked Veolia for their service.

MINUTES OF THE WATER & WATER POLLUTION CONTROL AUTHORITY
Regular Meeting, November 19, 2009

- b) Minutes and Agenda from Waterford Utility Commission
- (1) Regular Meeting Minutes – October 19, 2009 -- Received October 28, 2009
 - (2) Regular Meeting Agenda – October 19, 2009 -- Received October 16, 2009
- c) Minutes and Agenda from East Lyme Water & Sewer Commission
- (1) Regular Meeting Minutes– September 22, 2009 – Received October 1, 2009
 - (2) Public Hearing I Minutes– September 22, 2009 – Received October 1, 2009
 - (3) Special Meeting – Minutes--October 13, 2009 -- Received October 13, 2009
 - (4) Public Hearing – Agenda --October 27, 2009 ---- Received October 23, 2009
- (d) Transfers/Deposits
- (1) 10/15/09 Memo to Donna Rinehart from Martin Berliner RE: Deposit \$6,156.62
 - (2) 10/15/09 Memo to Donna Rinehart from Martin Berliner RE: Deposit \$3,805.50
 - (3) 10/29/09 Memo to Donna Rinehart from Martin Berliner RE: Deposit \$18,643.67 (Town of East Lyme – WWTP Bond)
 - (4) 10/30/09 Deposit \$870.00 (Reimbursement for legal charges from Town of East Lyme)
 - (5) Deposit \$401,093.62 from Town of Waterford (1st half Sewer Bill)
 - (6) 11/4/09 Memo to Donna Rinehart from Martin Berliner RE: Deposit \$37,287.34 (Town of Waterford – WWTP Bond)
- (e) Information List (**Actions as dictated by the Authority—information only**)
- (1) 10/27/09 Email from Marianna McGuirk to Brian Estep RE: Olin Velez – 20 Channing Street, New London, CT (file #21510)
- f) Invoices, Bills and Change Orders for Approval or Payment
- (1) Veolia Water: Invoice #7013605 in the amount of \$482,553.00 for December, 2009
Upon motion of Glenn Hamler, seconded by Bob Grills, it was moved to pay Veolia Water: Invoice #7013605 in the amount of \$482,553.00 for December, 2009. The motion carried unanimously.
 - (2) Veolia Water: Invoice #7013713 in the amount of \$487.00 for hydrant repair at 52 Ashcraft Road, New London, CT on 8/16/09 – attached check from National City Bank for \$1,009.50 for property damage
Upon motion of Bob Grills, seconded by Glenn Hamler, it was moved to pay Veolia Water: Invoice #7013713 in the amount of \$ 487.00 for hydrant repair at 52 Ashcraft Road, New London, CT on (8/16/09). The motion carried unanimously.
 - (3) Karl F. Acimovic, P.E.: Invoice # J.N 99009 in the amount of \$206.00 for Dam Repairs and Modifications (Barnes, Beckwith & Bogue Reservoir Dams) [tabled from the October 22, 2009 W&WPCA meeting] for period August 1, 2009 – August 31, 2009.
Upon motion Glenn Hamler, seconded by Gregory Dziczek, it was moved to pay Karl F. Acimovic, P.E.: Invoice # J.N 99009 in the amount of \$206.00 for Dam Repairs and Modifications (Barnes, Beckwith & Bogue Reservoir Dams) [tabled from the October 22, 2009 W&WPCA meeting] for period August 1, 2009 – August 31, 2009. The motion carried unanimously.
 - (4) Karl F. Acimovic, P.E.: Invoice #J.N. 99009 in the amount of \$90.00 for Dam Repairs and Modifications (Barnes & Beckwith Dams) for period September 1, 2009 – September 30, 2009.
Upon motion Bob Grills, seconded by Gregory Dziczek, it was moved to pay Karl F. Acimovic, P.E.: Invoice #J.N. 99009 in the amount of \$90.00 for Dam Repairs and Modifications (Barnes & Beckwith Dams) for period September 1, 2009 – September 30, 2009. The motion carried unanimously.
 - (5) Veolia Water: Invoice #7013712 in the amount of \$7,000.00 for relocation of the hydrant on Howard Street
Upon motion of Glenn Hamler, seconded by Bob Grills, it was moved to pay Veolia Water: Invoice #7013712 in the amount of \$7,000.00 for relocation of the hydrant on Howard Street, New London, CT. The motion carried unanimously.
 - (6) Veolia Water: Invoice #7013546 in the amount of \$5600.00 for corrective maintenance (Parkway South Water Main)
Upon motion of Glenn Hamler, seconded by Gregory Dziczek, it was moved to pay Veolia Water: Invoice #7013546 in the amount of \$5600.00 for corrective maintenance (Parkway South Water Main). The motion carried unanimously.

MINUTES OF THE WATER & WATER POLLUTION CONTROL AUTHORITY
Regular Meeting, November 19, 2009

- (7) Kovacs Construction Corp: Application #21 in the amount of \$50,500.00 for PS # 4,5,8,9 – Project 2007-18 – Date of Contract 9/6/07
Upon motion of Glenn Hamler, seconded by Bob Grills, it was moved to pay Kovacs Construction Corp: Application #21 in the amount of \$50,500.00 for PS # 4,5,8,9 – Project 2007-18 – Date of Contract 9/6/07 The motion carried unanimously.
- (8) Conway & Londregan: Invoice # 38571 in the amount of \$510.00 for October, 2009 legal services
Upon motion of Glenn Hamler, seconded by Bob Grills, it was moved to pay Conway & Londregan: Invoice #38571 in the amount of \$510.00 for October, 2009 legal services. The motion carried unanimously.

(g) Finance Report

(1)(a-d) Wells Fargo – Received

- (a) Treatment Plant Sinking Fund – Received – 11/10/09
- (b) Water Surcharge Account Water Fund ----- 11/10/09
- (c) Sewer Fund – Received -- ----- 11/10/09
- (d) Water Fund - Capital Projects – Received -- 11/10//09

(2) Account Balance List – Water & Sewer – Received ----- 11/05/09

(3) Monthly Water/Sewer Finance Report – Received ----- -11/05/09

(h) Delinquency Report – Provided by Veolia – Received ----- 11/10/09

Upon motion of Glenn Hamler, seconded by Gregory Dziczek, it was moved for Veolia to forward the accounts recommended for legal action to the City Attorney. The motion carried unanimously.

Mario Strafaci expressed his concern relative to names on the delinquency list of people that he thought could fully afford to pay their bill. Chairman Weiner noted that he would like to put a notice in the newspaper informing the public that delinquencies would be listed at some point in the future, and in order to avoid having your name printed you need to pay your bill. Chairman Weiner noted that he would like Joe to look into the legality of same. *Upon motion of Mario Strafaci, seconded by Glenn Hamler, it was moved to authorize Joe to look into the legality of posting a warning notice in The Day that states that delinquencies will be printed in the newspaper if bills remain unpaid. It was also noted that Joe would look into the legality of having the names of ratepayers that have outstanding balances printed in the local newspaper. The motion carried unanimously.*

The foregoing matters Items 5.1a) through 5.1h) are received for the record and/or referred to the Committee.

6.0 **OLD BUSINESS**

(1) 10/30/09 Email to Marianna McGuirk from Brian Estep RE: Firewood Contract

Upon motion of Mario Strafaci, seconded by Glenn Hamler, it was moved to authorize the agreement to be approved and signed as our attorney has approved the final contract. The motion carried unanimously.

Gregory Dziczek asked Kathryn about the status of the fire hydrant damage at Millstone, which was discussed at the October 22, 2009 meeting. Kathryn noted that she was unable to attend the meeting with representatives from Millstone, but both Joe and Peter did. Joe noted that he and Peter met with representatives from Millstone and they didn't admit that they were illegally using hydrants, but it was their suspicion that they were. It was noticed that Millstone was stockpiling hydrant parts. Joe also noted that Millstone will be providing us with plans, after removing sensitive information, and Peter will pick up same on Monday. Joe suggested to Millstone that we may require them to install a meter since there are two lines going into their site and we believe one is unmetered. Joe noted that we have some more investigation to do but will report back at the next meeting. Peter noted that Millstone has now agreed to grant us contractor privileges and he believes we should act rapidly in requiring them to install a second meter if the drawings show it reasonable.

MINUTES OF THE WATER & WATER POLLUTION CONTROL AUTHORITY
Regular Meeting, November 19, 2009

7.0 NEW BUSINESS

- (1) 10/19/09 Letter from Mr. Russell Dinoto to Chairman Weiner RE: Water Repair Bill & Invitation to Attend Meeting [Handled under Citizen Participation]
- (2) 11/03/09 Letter from Mr. Bruce Silvestri to Chairman Weiner RE: Request for Reimbursement & Invitation to Attend Meeting [Handled under Citizen Participation]
- (3) 10/28/09 Letter from Camelle vanderPatten to Chairman Weiner RE: Driveway Repair & Invitation to Attend Meeting [Handled under Citizen Participation]
- (4) 11/4/09 Letter to Chairman Weiner from Lance Hodge RE: 361 Vauxhall Street, New London, CT (Sewer Backup) & Invitation to Attend Meeting [Handled under Citizen Participation]
- (5) 11/5/09 Email to Marianna McGuirk from Kay Weston, MSW Properties, LLC RE: 32 Walden Avenue – Water/Sewer Account and Notification of Meeting Date/Time. [Handled under Citizen Participation]
- (6) Annual Meeting Schedule for 2010 (Approval Requested)
Upon motion of Gregory Dzikczek, seconded by Bob Grills, it was moved to approve the Annual Meeting Schedule for 2010. The motion carried unanimously.

Upon motion of Bob Grills, seconded by Glenn Hamler, it was moved to add 7.0(7) to the agenda. The motion carried.

Upon motion of Bob Grills, seconded by Glenn Hamler, it was moved to authorize Chairman Weiner to work with the City Manager and Personnel to bring another staff member on board who will assist Joe with various issues such as contract compliance, state grants, federal grants, etc. Evelyn Louziotis noted for the record that in this economy she does not support hiring another person. She noted she is strongly against this. Vote: Yea - 6 Nays 1. The motion passed.

At this point, Chairman Weiner invited those present to stay and enjoy cake to welcome Mr. Lanzafame to New London.

8.0 ADJOURNMENT

Upon motion of Evelyn Louziotis, seconded by Bob Grills, it was moved to adjourn the November 19, 2009, meeting at 9:00 p.m. The motion carried unanimously. The next regularly scheduled meeting of the W&WPCA will be Thursday, December 17, 2009, beginning at 7:00 p.m. in the Richard R. Martin Center, Senior Center Library, 120 Broad Street (rear), New London, CT.

ATTEST TO BY: _____

SUBMITTED BY: _____

DATE APPROVED: _____

This document is subject to corrections, changes and/or revisions.

Distribution:

- Barry J. Weiner, Chairman (via next month's Agenda)
- Robert Grills, Authority Member (via next month's Agenda)
- Mario Strafaci, Authority Member (via next month's Agenda)
- Evelyn Louziotis, Authority Member (via next month's Agenda)
- Glenn Hamler, Authority Member (via next month's Agenda)
- Gregory Dzikczek, Authority Member (via next month's Agenda)
- Wade A. Hyslop, Jr., Council Liaison (via next month's Agenda)
- Joseph Lanzafame, Director (via next month's Agenda)
- Peter Vetter, Project Manager (via next month's Agenda)
- Martin Berliner, City Manager (via next month's Agenda)
- James Lathrop, Finance Director (via next month's Agenda)
- Michael Tranchida, City Clerk (3 copies)
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MINUTES OF THE WATER & WATER POLLUTION CONTROL AUTHORITY
Regular Meeting, November 19, 2009