

MINUTES OF THE WATER & WATER POLLUTION CONTROL AUTHORITY
Regular Meeting, December 17, 2009

The Regular Meeting of the Water and Water Pollution Control Authority began at 7:00 P.M. on the 17th of December 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
Councilor John Russell

ALSO PRESENT: Martin Berliner, City Manager
Joseph Lanzafame, Director of Public Utilities
Peter Vetter, Veolia Water
Kathryn Willis, Veolia Water
Brad Kargl, Town of East Lyme
Chris Clark, Mohegan Tribal Utility Authority
Donald Iannicelli, GeoInsight, Inc.
Marianna Gaynor McGuirk, Recording Secretary

ABSENT: None

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, Councilor John Russell--new appointee as liaison to the W&WPCA, and other guests and thanked them for attending this evening.

2.0 CITIZEN PARTICIPATION

Upon motion of Bob Grills, seconded by Evelyn Louziotis, it was moved to take Item 6.0 (1) to the floor. The motion carried unanimously.

Brad Kargl, Town of East Lyme noted that First Selectman Paul Formica was unable to attend this evening but he was present to discuss East Lyme's interest in constructing a regional water supply interconnection between East Lyme and New London. He noted that Chris Clark and Don Iannicelli were also in attendance, and all were present back in July when discussions first began. He added there have been several meetings with New London staff and they have begun to discuss some preliminary engineering concepts, water quality, operational issues, etc. However, he noted before East Lyme moves too far along with the engineering, they would like to see if New London would be willing to designate a person or committee that can sit with East Lyme to discuss developing an agreement relative to this project. Chairman Weiner questioned Mr. Kargl as to exactly when East Lyme needs the water from New London. There was also some discussion whether or not East Lyme would consider just being a user/customer for those high demand periods when they need water and not try to trade-off by sending us water. Chairman Weiner noted that one of his concerns is that when East Lyme needs the water, that is the time when it is the tightest for New London; and, when East Lyme proposes to send water to us is when we don't really need it. In response to a question from Chairman Weiner, Brad Kargl did note that East Lyme would consider being a customer for the weekends when they need the water. After a lengthy discussion, Chairman Weiner noted that his plan is to add this item on the agenda for next month for full discussion on East Lyme's proposals. He will seek board direction and appoint a committee to work with East Lyme to see this project through to some type of conclusion. He added that if East Lyme would like to attend next month they are welcome, but it is not necessary. Mr. Kargl thanked everyone for his or her time.

3.0 MINUTES OF PREVIOUS MEETING

(1) November 19, 2009 – Regular Meeting Minutes

Upon motion of Glenn Hamler, seconded by Bob Grills, it was moved to approve the November 19, 2009, Regular Meeting Minutes. The motion carried unanimously.

MINUTES OF THE WATER & WATER POLLUTION CONTROL AUTHORITY
Regular Meeting, December 17, 2009

4.0 **FOR THE INFORMATION OF THE AUTHORITY:**

- (1) Tabled Agenda Items
(a) 11/9/09 Memo to Chairman Weiner from Attorney Brian Estep RE: Carlos Pascual, 30 West Coit Street, New London, CT (file #21654) [Tabled from the October 22, 2009 meeting awaiting response from Attorney Estep]

Chairman Weiner reviewed the response from Attorney Estep relative to 30 West Coit Street. He noted that after reading this memo he was not clear if the \$1,903.29 Mr. Pascual owes was pre-bankruptcy or post bankruptcy. Chairman Weiner noted that it is his interpretation that Attorney Estep is saying that although we can't take action against him, we can foreclose on the property to satisfy our debts. Chairman Weiner requested that Kathryn Willis speak with Attorney Estep and get the date of bankruptcy filing so that Kathryn can determine how much he owed us at the time of filing. After discussion, Chairman Weiner requested that we receive this memo for the record and requested that Kathryn provide him with a report next month for the exact numbers so that we can make a decision as to whether we should proceed with foreclosure or not.

Mario Strafaci expressed his concern relative to the amount of money due noted on our delinquency list and questioned if it is legal for us to sell warrants to collect our money. Mario questioned why New London hasn't looked into this in the past. Mario expressed concern about sending this request for investigation to our attorney because of the amount of money it might cost for them to investigate same. Chairman Weiner requested that Marianna send legal an email relative to Mario's question and concerns and inform legal that we don't want to involve Hartford attorneys in investigating this issue relative to the legality of collecting the outstanding delinquent water bills by **selling them off to collectors** but would like our legal department to address same. City Manager Berliner was also present and noted that he would speak with Attorney Estep relative to same. Chairman Weiner noted that we should have a full report on this issue at the next meeting.

- (2) 11/12/09 Letter to Chairman Barry Weiner from Peter M. Green, Waterford Utility Commission RE: Waterford – Billing by Consumption
(3) 11/19/09 Letter to Water & Water Pollution Control Authority from Joseph Centofanti RE: Status Report on Project (Audit)
(4) 11/9/09 Memo to Chairman Weiner from Attorney Brian Estep RE: Scott – 31 Blackhall Street, New London, CT --File #21547 [see New Business—Agenda Item 7.0(1)]

Chairman Weiner reviewed the response from Attorney Estep relative to 31 Blackhall Street, New London, CT and noted that on advice of Counsel he would like to entertain a motion that we move forward to the next legal step. *Upon motion of Mario Strafaci, seconded by Glenn Hamler, it was moved to request Attorney Estep to proceed with foreclosure on this case (31 Blackhall Street, New London, CT). This motion carried unanimously.*

There was a brief discussion relative to the policies we have in place regarding the collection process. *Upon motion of Mario Strafaci, seconded by Glenn Hamler, it was moved to set a policy such that if an individual is one year behind that we start the collection procedure.* Kathryn noted that she has been working under a \$1000.00 benchmark. She also added that since Waterford ratepayers pay for water only, that New London ratepayers hit the \$1,000.00 mark a lot sooner since their bill includes water and sewer. After discussion, the *motion was amended to include one-year or \$1,000.00, whichever comes first. The motion carried unanimously.*

Bob Grills noted that we run into so many problems with collection, that it might be a good idea to have a security deposit for ratepayers. It was noted that the real vulnerability is the multi-family dwellings and not the single-family home. Chairman Weiner requested that Joe Lanzafame research this project to come up with numbers and find out if ordinances would be required, etc. Peter offered to check with Veolia throughout the country to see if there is a policy in place regarding security deposits. Kathryn Willis noted that she felt our software could handle this if we decide to do it. Joe Lanzafame added he would explore same.

- (5) 12/7/09 Memo to Chairman Weiner from Attorney Brian Estep RE: Public Notice of Delinquency Matters
Chairman Weiner reviewed the memo from Attorney Estep relative to same. After discussion, *upon motion of Mario Strafaci, seconded by Glenn Hamler, it was moved to note in a local newspaper that the Authority has expressed their intentions of posting a list for public review of all delinquent ratepayers for water and sewer.*

MINUTES OF THE WATER & WATER POLLUTION CONTROL AUTHORITY
Regular Meeting, December 17, 2009

The motion carried unanimously. Evelyn noted she thought we should look into posting in the *New London Times* as it may be cheaper but requested prices for both *The Day* and the *New London Times*. Chairman Weiner request Marianna to draft something for the newspaper relative to same.

- (6) 12/7/09 Memo to Chairman Weiner from Attorney Brian Estep RE: MSW Properties, File #21706
Chairman Weiner reviewed the memo from Attorney Brian Estep regarding subject 32 Walden Avenue, New London, CT. After discussion, *upon motion of Mario Strafacci, seconded by Evelyn Louziotis, it was moved to direct the attorney to maintain his pursuit of this fee. The motion carried unanimously.*

Upon motion of Evelyn Louziotis, seconded by Glenn Hamler, it was moved to receive for the record Items 4.0(1) through 4.0 (6) 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 --12/09/09
Peter Vetter reviewed the report for the period of November 1, 2009 through November 30, 2009 and answered questions as raised by the Authority. In addition, Peter Vetter noted that with the rain we have had in the past few weeks that Lake Konomoc is over 80%, and we need to start thinking about at what point we stop pumping into Lake Konomoc. After discussion, it was noted that Joe and Peter would run some calculations relative to same. Joe Lanzafame noted that we should set up a protocol, not only for Lake Konomoc but also for all the reservoirs.

Peter noted that the Fitch Avenue project is near completion with the exception of one repair. Bob Grills noted that he felt that we should publicly thank the residents of the Fitch Avenue area for coming forth with their concerns. Chairman Weiner addressed Peter and Kathryn and noted that since there is currently a backhoe on site it might be nice to get some favorable press regarding same.

Kathryn Willis noted that four accounts were discovered this month that were being billed two times per year instead of quarterly. This appears to go back to the initial changes the City made moving from annual billing to bi-annual and then to quarterly. A query has been made on the entire database that identified an additional six accounts being billed two times per year. All of these accounts will be back billed for 12 months of missed revenue.

There was a brief discussion relative to meeting with representatives from Millstone. Peter Vetter expressed concern about unbilled water. He noted that he plans to meet with Joe, Andy, and Kathryn to come up with a plan to address this issue and present to the Authority. Peter noted his guess is the plan will include Millstone paying for the installation of two meter pits -- one on each side of the property with a 10 inch meter (he added all meter readings will be performed outside the fence line). Chairman Weiner noted that he wants to proceed with due haste on meters for Millstone.

Kathryn Willis also noted that customers could now pay their bills by credit card on line.

- (b) Minutes and Agenda from Waterford Utility Commission
(1) Regular Meeting Agenda – November 16, 2009 -- Received November 16, 2009
(2) Regular Meeting Minutes – November 16, 2009 – Received November 25, 2009
- (c) Minutes and Agenda from East Lyme Water & Sewer Commission
(1) Regular Meeting Minutes– October 27, 2009 – Received - November 25, 2009
(2) Public Hearing I Meeting Minutes – October 27, 2009 – Received November 25, 2009
(3) Public Hearing II Meeting Minutes – October 27, 2009 – Received November 25, 2009
(4) Regular Meeting Agenda – November 24, 2009 – Received November 25, 2009

MINUTES OF THE WATER & WATER POLLUTION CONTROL AUTHORITY
Regular Meeting, December 17, 2009

- (d) Transfers/Deposits
 - (1) 11/17/09 Memo to Donna Rinehart from Joseph Lanzafame RE: Deposit Check #27292 – Calamari Recycling Company, Inc.
 - (2) 11/23/09 Deposit of \$195.00 (Town of East Lyme—reimbursement for legal fees)
 - (3) 11/20/09 Memo to Donna Rinehart from Joseph Lanzafame RE: Deposit Check #463490267 \$1,009.50 (fire hydrant damage – 52 Ashcraft Road)
 - (4) 11/20/09 Memo to Martin Berliner from Joseph Lanzafame RE: Request for Appropriation in the amount of \$1,009.50 – Enterprise Funds)

- (e) Information List (**Actions as dictated by the Authority—information only**)
 - (1) 11/24/09 Email to Attorney Estep from Marianna McGuirk RE: Posting Delinquent Accounts in The Day
 - (2) 11/24/09 Email to Attorney Estep from Marianna McGuirk RE: 32 Walden Avenue – Request for legal advice
 - (3) 11/24/09 Letter to Russell Dinoto from Joseph M. Lanzafame RE: Adjusted Invoice

- f) Invoices, Bills and Change Orders for Approval or Payment
 - (1) Veolia Water: Invoice # 7013765 in the amount of \$482,553.00 for January, 2010
Upon motion of Evelyn Louziotis, seconded by Glenn Hamler, it was moved to pay Veolia Water: Invoice # 7013765 in the amount of \$482,553.00 for January, 2010. The motion carried unanimously.
 - (2) Conway & Londregan: Invoice # 38595 in the amount of \$ 645.00 for November, 2009 legal services
Upon motion of Glenn Hamler, seconded by Bob Grills, it was moved to pay Conway & Londregan: Invoice #38595 in the amount of \$645.00 for November, 2009 legal services. The motion carried unanimously.
 - (3) Kovacs Construction Corp: Application #22 in the amount of \$ 77,223.06 for PS# 4,5,8,9 – Project 2007-18 – Date of Contract 9/6/07 (Partial Release of Retainage)
Upon motion of Bob Grills, seconded by Glenn Hamler, it was moved to pay Kovacs Construction Corp: Application #22 in the amount of \$77,223.06 for PS# 4,5,8,9 – Project 2007-18 – Date of contract 9/6/07 (Partial Release of Retainage). The motion carried unanimously.
 - (4) Veolia Water: Invoice #7013864 in the amount of \$ 3,103.25 for replacement of hydrant [intersection of Lanyard and Millstone] in Waterford on August 1, 2009
Upon motion of Bob Grills, seconded by Glenn Hamler, it was moved to pay Veolia Water: Invoice #7013864 in the amount of \$ 3,103.25 for replacement of hydrant [intersection of Lanyard and Millstone] in Waterford on August1,2009 pending receipt of check made out to the City of New London. The motion carried unanimously.
 - (5) Veolia Water: Invoice #7013863 in the amount of \$2,497.00 for replacement of the hydrant [191 Shore Road, Waterford, CT] on March 1, 2009
Upon motion of Glenn Hamler, seconded by Bob Grills, it was moved to pay Veolia Water: Invoice #7013863 in the amount of \$ 2,497.00 for replacement of hydrant 191 Shore Road] in Waterford on March 1, 2009 pending receipt of check made out to the City of New London. The motion carried unanimously
 - (6) Ferrucci & Walicki, LLC: Invoice # 2852 (information only) \$30.45 paid from Escrow
Informational purposes only

- (g) Finance Report
 - (1)(a-d) Wells Fargo – Received
 - a. Treatment Plant Sinking Fund – Received – 12/09/09
 - b. Water Surcharge Account Water Fund ----- 12/09/09
 - c. Sewer Fund – Received -- ----- 12/09//09
 - d. Water Fund - Capital Projects – Received -- 12/09//09
 - (2) Monthly Water/Sewer Finance Report – Received ----- -12/09/09
 - (3) Account Balance List – Water & Sewer – Received ----- 12/09/09

- (h) Delinquency Report – Provided by Veolia – Received ----- 12/09/09

MINUTES OF THE WATER & WATER POLLUTION CONTROL AUTHORITY
Regular Meeting, December 17, 2009

No accounts were recommended for legal this month.

Gregory Dziczek requested information relative to landlords receiving subsidies from the City (Section 8) but are not paying their water bill. City Manager Berliner noted that these are not City funds but Federal monies. City Manager Berliner noted that he would look into this and report back to the Authority.

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) 11/20/09 Email to Marianna McGuirk from Brad Kargl, East Lyme Water & Sewer RE: Update regarding Regional Interconnection Project [Handled under Citizen Participation –Agenda Item 2.0]

7.0 NEW BUSINESS

- (1) 11/30/09 Email to Marianna McGuirk from China Turner RE: 31 Blackhall Street and Invitation to Attend meeting to Miriam Smith [Handled under Agenda Item 4.0(4)]. It was noted for the record that no one from this property was present.

8.0 ADJOURNMENT

Upon motion of Mario Strafaci, seconded by Evelyn Louziotis, it was moved to adjourn the December 17, 2009, meeting at 8:30 p.m. The motion carried unanimously. The next regularly scheduled meeting of the W&WPCA will be Thursday, January 28, 2010, 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 Dziczek, Authority Member (via next month's Agenda)
John Russell, Council Liaison (via next month's Agenda)
Joseph Lanzafame, Director of Public Utilities (via next month's Agenda)
Peter Vetter, Project Manager-Veolia Water (via next month's Agenda)
Martin Berliner, City Manager (via next month's Agenda)
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