

**MINUTES OF THE WATER AND WATER POLLUTION CONTROL AUTHORITY**  
**Regular Meeting, July 23, 2009**

The Regular Meeting of the Water and Water Pollution Control Authority began at 7:00 P.M. on the 23rd day of July, 2009, in the Richard R. Martin Center, Senior Citizen Center Library, 120 Broad Street (Rear), New London, CT.

**PRESENT:** Barry J. Weiner, Chairman  
Bryon Thompson, Vice-Chairman  
Mario Strafacci  
Evelyn Louziotis  
Robert Grills

**ALSO PRESENT:** Martin Berliner, City Manager  
Peter Vetter, Veolia Water  
Kathryn Willis, Veolia Water  
Anthony Pescatello, Citizen  
Lee Watrous, Habitat for Humanity  
Lorraine & Anthony J. Basilica  
Terri O'Rourke, Habitat for Humanity  
Ethel Gerity, Citizen  
Edward Wenke, PE for Habitat for Humanity  
Attorney Peter w. Hoops for Habitat for Humanity  
Merrylyn Weaver, Citizen  
Lawrence Lewis, Citizen  
Miss Porras, Citizen

**ABSENT:** Wade Hyslop, Council Liaison  
Richard Kotecki

---

**1.0 ORDER OF BUSINESS**

Chairman Barry Weiner called the meeting to order at 7:00 P.M. Chairman Weiner called the roll. A quorum was present. Chairman Weiner welcomed City Manager Berliner and thanked him and the other guests for coming.

**2.0 CITIZEN PARTICIPATION**

**Upon motion of Bob Grills, seconded by Bryon Thompson, it was moved to take Item 7.0(1) to the floor. The motion carried unanimously.**

Mrs. Ethel Gerity, 16 Hillside Road, New London, CT spoke regarding her request for reimbursement of \$191.39, which she paid to Murray Renshaw for an emergency service call to replace a valve at her property. After discussion and concerns rose by Veolia and Vice-Chairman Bryon Thompson, specifically about setting precedent, a **motion was made by Mario Strafacci, seconded by Bob Grills, to reimburse Mrs. Gerity in the amount of \$191.39. The vote was as follows:**

**YEA -- Louziotis and Strafacci**

**NAY -- Thompson and Grills**

**Chairman Weiner broke the tie with a YEA vote. The motion carried.**

**Upon motion of Evelyn Louziotis, seconded by Bob Grills, it was moved to take Item 6.0(2) to the floor. The motion carried unanimously.**

Mr. Ed Wenke, registered professional engineer representing the Habitat for Humanity reviewed the plans re: proposed single family homes to be built on Fitch Avenue properties and explained that he has additional information since the last meeting and wanted to present it to the W&WPCA. On behalf of the Habitat he is requesting an extension of the municipal sewer main.

Bryon Thompson questioned Veolia as to how often they are called out to the Fitch Avenue area. Kathryn Willis from Veolia noted that it is on the "hot spot" list, but residents in that area do not call them weekly or even bi-weekly.

**MINUTES OF THE WATER AND WATER POLLUTION CONTROL AUTHORITY**  
**Regular Meeting, July 23, 2009**

Mr. Anthony Basilica, 60 Fitch Avenue, New London, CT was present to speak against the homes being built in the Fitch Avenue area. He noted that he has lived in the neighborhood for over forty-eight years, and it wasn't until new houses were built in the neighborhood, within the last ten years, that he has experienced at least three sewer backups. While circulating a petition against the homes being built on Fitch Avenue, it has come to his attention that others in the neighborhood have had similar experiences. Chairman Weiner thanked Mr. Basilica for his comments and added that he wanted the record to show that he has the petition that Mr. Basilica spoke of and it is now part of the record.

Terri O'Rourke, Executive Director for Habitat for Humanity spoke on behalf of the proposal to build the homes in the Fitch Avenue area. She noted that she understands the concerns of the neighborhood but also stated that although they may be legitimate concerns, that they are not related to the housing that is proposed.

Attorney Peter Hoops was present representing Habitat for Humanity but refrained from comment at this point.

Merrilyn Weaver, 72 Fitch Avenue, New London, CT noted that she has had raw sewerage in her basement several times and this happened after the addition of two homes in the neighborhood (Ledyard Street area). She expressed her concern about the two proposed homes being built on Fitch Avenue, and stated that although Mr. Wenke, who spoke on behalf of the Habitat, might be credible she would feel a lot better if the City hired an independent engineer to do a study of existing problems in the area.

Mrs. Gloria Loring, Ledyard Street, New London, CT was present and expressed concerns about the topography in the area. Chairman Weiner explained to her that the jurisdiction this committee has is relevant to the current statute, which requires any extension of sewer main to be approved or disapproved by the W&WPCA and her concerns might be better addressed by other agencies.

After a lengthy discussion, in consideration of the submission of the engineering report from Mr. Ed Wenke and the addition of testimony, **a motion was made by Barry Weiner to approve the request for sewer main extension.** Bryon Thompson noted that he was awaiting information from Veolia that he asked for last month. Chairman Weiner noted that he did, in fact, receive a report from Veolia and Chairman Weiner read the report into the record and ordered that it be part of the record. The letter from Veolia stated that Habitat should undergo an impact study of their proposed project at their expense, and said study should be presented to the Board. It also stated that if the results indicated no negative impact on flows then Veolia would endorse the project. Vice-Chairman Thompson asked Mr. Vetter if Veolia considered the engineering report on flows that was submitted this evening to satisfy the study referred to in Veolia's letter to Chairman Weiner, to which Mr. Vetter responded in the affirmative. During this time, Mr. Ashford asked to be heard. He noted that he lives in the area of Fitch Avenue and expressed his concern over the proposed two homes being built on the Fitch Avenue lots. At this point, Vice-Chairman Bryon Thompson requested a five-minute caucus. Chairman Weiner called for a brief recess at the request of Vice-Chairman Thompson.

Recess came to an end five minutes later, and Chairman Weiner entertained a second to the original motion as noted above. **Please note there were no motions made or votes taken during the five-minute recess. Bryon Thompson seconded this motion. Vote as follows:**

**YEA -- Weiner, Thompson, Louziotis, Grills**

**NAY -- Strafaci**

**The motion carried.**

**At this time, Chairman Weiner entertained a motion to authorize the City to conduct an engineering study of the sewer lines in the Fitch Avenue area to ascertain the problems for the repeated backups, and to correct the problem or problems to ensure that residents in this neighborhood don't have to suffer through this anymore. Chairman Weiner added that if it is determined that it is a City issue with the city pipes that the Authority will take the corrective measures necessary. If the study determines that it is an individual problem of the homeowners, then the homeowners will be so notified and they can take the actions necessary. Upon motion of Evelyn Louziotis, seconded by Mario Strafaci it was moved to approve this motion. The motion carried unanimously.** Chairman Weiner requested that the record show that the City has an on-call engineer and the City will contact him immediately to start working on this study.

**Upon motion of Evelyn Louziotis, seconded by Bob Grills, it was moved to take Item 7.0 (3) to the floor. The motion carried unanimously.**

Mr. Anthony Pescatello spoke relative to his request for sewer abatement due to a leak at a property he owns on 87 Stuart Avenue, New London, CT. The amount he is requesting is \$214.55. **Upon motion of Bob Grills, seconded by Bryon Thompson, it was moved to grant this abatement on the sewer portion of the bill. The motion carried unanimously.**

**MINUTES OF THE WATER AND WATER POLLUTION CONTROL AUTHORITY**  
**Regular Meeting, July 23, 2009**

**Upon motion of Bryon Thompson, seconded by Evelyn Louziotis, it was moved to remove from the table Item 4.0 (1)(a). The motion carried unanimously.**

Ms. Porras spoke on behalf of her father, Pelayo Porras, as he was unable to attend this evening. Kathryn Willis noted that the leak detector is not showing a leak but the water consumption is still high. Ms. Porras did note that more people are living in the home than have in the past. After discussion, **upon motion of Bob Grills, seconded by Mario Strafaci it was moved to reimburse difference between the 9100 cubic feet bill and the 6500 cubic feet bill and rebate the sewer portion of the bill. The motion carried unanimously.** Chairman Weiner explained that Mr. Porras would see a credit on his next bill.

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

Mr. Lawrence Lewis, 89 Vauxhall Street, New London, CT expressed his concern about a letter that he received from the Water Department (Earth Tech) several years ago informing him that he owed \$3,100.00, in addition to \$1,227.00 that he paid to have his water line enlarged. A balance still stands and Mr. Lewis noted that he was not aware until recently that he could dispute this with the Authority. After discussion, Chairman Weiner noted that he could understand the concern of Mr. Lewis as he was told one thing and then billed for much more. Chairman Weiner noted that since Mr. Lewis is willing to compromise he feels the board would be willing to do the same. After discussion, **upon motion of Evelyn Louziotis seconded by Bob Grills, it was moved to request Mr. Lewis to pay his current bill less reduction of \$1,500.00-- with interest adjusted to reflect \$1,500.00 reduction, and leave interest as is for the remainder of the bill and request Veolia set up a payment plan for same. The motion carried unanimously.**

**3.0 MINUTES OF PREVIOUS MEETING**

(1) June 25, 2009 – Regular Meeting Minutes – Accepted

**Upon motion of Evelyn Louziotis, seconded by Bob Grills, it was moved to accept the June 25, 2009 – Regular Meeting Minutes. The motion carried unanimously.**

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

- (1) Tabled Agenda Items
  - (a) 5/22/09 Letter from Mr. Pelayo Porras to W&WPCA RE: Request for Refund --tabled at the June 25, 2009, W&WPCA meeting---- (Handled under Item 2.0 Citizen Participation)
- (2) 6/25/09 Letter to Frank Morelli from Neftali Soto RE: Treatment Plant Amount Due  
Chairman Weiner requested Marianna McGuirk to send a letter to Finance requesting they respond to the letter received from Waterford and investigate same.
- (3) 7/07/09 Letter to Barry Weiner, W&WPCA from Joseph Centofanti, Kostin, Ruffkess & Company, LLC  
Chairman Weiner noted that the City Manager signed the contract with Kostin, Ruffkess & Company, LLC and the audit is in progress.

**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 7/14/09

Peter Vetter reviewed his report and answered questions as raised by the Authority. Peter added that one of the biggest issues Veolia faces right now is the Beckwith Pump Station. Veolia noted that they don't know the status of same. Peter added that Veolia is not operating it, nor is the contractor and the water is overflowing Beckwith Dam and Lake Konomoc is going down. Veolia requests a resolution on where the project is, what their responsibility is, and who should be operating it. City Manager Berliner was present and offered to contact Malcolm Pirnie regarding same.

Peter Vetter also noted that Veolia had received phone calls regarding the odor coming from the Treatment Plant. He did note that he understands that Councilors received many complaints that went directly to them but were not received by Veolia. He noted for the record that after looking into the problem, investigations revealed premature saturation of the odor control scrubber, Acid wash and full PM were completed July 2 thus alleviating the problem.

**MINUTES OF THE WATER AND WATER POLLUTION CONTROL AUTHORITY**  
**Regular Meeting, July 23, 2009**

Peter Vetter noted that on Friday, July 10<sup>th</sup> that there was a complaint of sewer backup on Bristol Street and he informed Chairman Weiner of same. He added that he received permission from Chairman Weiner to fix the problem and the overtime repair was \$2,710.00 and an invoice will be presented for next meeting.

- b) Minutes and Agenda from Waterford Utility Commission
  - (1) Regular Meeting Agenda – July 13, 2009 -- Received July 8, 2009
  
- c) Minutes and Agenda from East Lyme Water & Sewer Commission
  - (1) Regular Meeting Minutes –May 26, 2009--- Received 6/17/09
  - (2) Agenda for Special Meeting – June 30, 2009 – Received 6/17/09
  
- d) Transfers/Deposits
  - (1) 6/17/09 Memo to Donna Rinehart from Frank Morelli RE: Deposit Scrap Steel Check \$374.20
  
- e) Information List (**Actions as dictated by the Authority—information only**)
  - (1) 6/26/09 Email to Brian Estep from Frank Morelli RE: Water Supply Plan Agreement  
Chairman Weiner noted that he has not heard back from Legal yet regarding this issue.
  - (2) 6/26/09 Memo to Kathryn Willis from Frank Morelli RE: Delinquent Accounts to Legal
  - (3) 6/26/09 Memo to Martin Berliner from Marianna McGuirk RE: Community Fund Grant Recipients
  
- f) Invoices, Bills and Change Orders for Approval or Payment
  - (1) Veolia Water: Invoice #7012957 in the amount of \$482,553.00 for August, 2009  
**Upon motion of Bryon Thompson, seconded by Mario Strafaci, it was moved to pay Veolia Water: Invoice #7012957 in the amount of \$482,553.00 for August 2009. The motion carried unanimously.**
  - (2) Conway & Londregan, P.C.: Invoice #37386 in the amount of \$ 45.00 (for June 2009)  
**Upon motion of Evelyn Louziotis, seconded by Bob Grills it was moved to pay Conway & Londregan, P.C.: Invoice #37386 in the amount of \$ 45.00 (for June 2009). The motion carried unanimously.**
  - (3) Karl F. Acimovic, P.E., Inv. #99009 (Dam Repairs & Modifications – Barnes, Beckwith & Bogue Reservoir Dams) for services June 1, 2009 – June 30, 2009 in the amount of \$779.00.  
**Upon motion of Bob Grills, seconded by Bryon Thompson it was moved to pay Karl F. Acimovic, P.E., Inv. #99009 (Dam Repairs & Modifications – Barnes, Beckwith & Bogue Reservoir Dams) for services June 1, 2009 – June 30, 2009 in the amount of \$779.00. The motion carried unanimously.**
  - (4) Kovacs Construction Corporation, Project F-2505 Application #18, Date of Contract 9/6/07 in the amount of \$27,533.45  
**Upon motion of Bryon Thompson, seconded by Evelyn Louziotis, it was moved to pay Kovacs Construction Corporation, Project F-2505 Application #18, Date of Contract 9/6/07 in the amount of \$27,533.45. The motion carried unanimously.**
  - (5) Veolia Water: Invoice # 7013063 in the amount of \$5,600.00  
**Upon motion Evelyn Louziotis, seconded by Bryon Thompson, it was moved to pay Veolia Water: Invoice #7013063 in the amount of \$5,600.00. The motion carried unanimously.**
  - (6) Veolia Water: Invoice # 7013062 in the amount of \$5,600.00  
**Upon motion Evelyn Louziotis, seconded by Bob Grills, it was moved to pay Veolia Water: Invoice #7013062 in the amount of \$5,600.00. The motion carried unanimously.**
  - (7) Veolia Water: Invoice # 7013061 in the amount of \$3,978.52  
**Upon motion Evelyn Louziotis, seconded by Bryon Thompson, it was moved to pay Veolia Water: Invoice #7013061 in the amount of \$3,978.52. The motion carried unanimously.**
  
- (g) Finance Report
  - (1) (a-d) Wachovia Securities – Received
    - (a) Treatment Plant Sinking Fund – Received – 7/10/09
    - (b) Water Surcharge Account Water Fund ----- 7/10/09
    - (c) Sewer Fund – Received -- ----- 7/10/09
    - (d) Water Fund - Capital Projects – Received 7/10/09

**MINUTES OF THE WATER AND WATER POLLUTION CONTROL AUTHORITY**  
**Regular Meeting, July 23, 2009**

(2) Monthly Water/Sewer Finance Report – Received ----- 7/13//09

(h) Delinquency Report – Provided by Veolia – Received ----- 7/14/09

**Upon motion of Evelyn Louziotis, seconded by Mario Strafaci, it was moved for Veolia to forward the accounts recommended for legal action with removal of Lawrence Lewis to the City Attorney. 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) 6/30/09 Memo to Frank Morelli from Brian Estep RE: Leak at Unified Sports, Inc. and letter received from New York Leak Detection regarding same.

**Upon motion of Evelyn Louziotis, seconded by Mario Strafaci, it was moved accept New York Leak Detection’s letter for the record and to request Legal send a letter to New York Leak Detection informing them that although we dispute some areas of their letter, we do recognize and value the service they provide and want to continue our relationship with them. The motion carried unanimously.**

(2) 7/1/09 Letter to W&WPCA from Lee Watrous – Habitat for Humanity RE: Fitch Avenue Sewer Extension Proposal. [Handled under Item 2.0 Citizen Participation]

**7.0 NEW BUSINESS**

(1) 6/16/09 Letter to Barry Weiner, Chairman W&WPCA from Dr. & Mrs. Paul Gerity RE: Request for Reimbursement and Invitation to Attend July 23, 2009 W&WPCA meeting. [Handled under Item 2.0 Citizen Participation]

(2) 7/7/09 Night Soil Haulers Disposal Application—Bob’s #1 and Invitation to Attend July 23, 2009 W&WPCA meeting. **Upon motion of Evelyn Louziotis, seconded by Bryon Thompson, it was moved to table Item 7.0(2) until the August 27, 2009, meeting. Also, Marianna McGuirk was directed to send a letter informing Mr. Bartlett, Bob’s #1 that his agenda item was tabled and the Authority requests his presence at the August 27<sup>th</sup> meeting as they have questions regarding the application. The motion carried unanimously.**

(3) 7/7/09 Letter to W&WPCA from Anthony J. Pescatello RE: Request for Sewer Abatement – 87 Stuart Avenue, New London, CT and Invitation to Attend July 23, 2009 W&WPCA meeting. [Handled under Item 2.0 Citizen Participation]

(4) 7/10/09 Letter to W&WPCA from Lawrence Lewis, Jr. 89 Vauxhall Street, New London, CT RE: Invoice from Veolia and Invitation to Attend July 23, 2009 W&WPCA meeting. [Handled under Item 2.0 Citizen Participation]

(5) 6/30/09 Letter to W&WPCA from Tom Walicki, Ferrucci & Walicki, LLC RE: Budget Supplement of \$5,000 Requested **Upon motion of Bryon Thompson, seconded by Bob Grills, it was moved to allocate the \$5,000.00 for Ferrucci & Walicki, LLC (forestry services). The motion carried unanimously. [Chairman Weiner requested Marianna to contact Ferrucci & Walicki, LLC to inform them that Tom Bowen is no longer with the City.]**

**8.0 ADJOURNMENT**

**Upon motion of Mario Strafaci, seconded by Evelyn Louziotis, it was moved to adjourn the July 23, 2009, meeting at 9:28 p.m. The motion carried unanimously. The next regularly scheduled meeting of the W&WPCA will be Thursday, August 27, 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.**

**MINUTES OF THE WATER AND WATER POLLUTION CONTROL AUTHORITY**  
**Regular Meeting, July 23, 2009**

**Distribution:**

Barry J. Weiner, Chairman (via next month's Agenda)  
Bryon Thompson, Vice-Chairman (via next month's Agenda)  
Mario Strafaci, Authority Member (via next month's Agenda)  
Richard Kotecki, Authority Member (via next month's Agenda)  
Evelyn Louziotis, Authority Member (via next month's Agenda)  
Robert Grills, Authority Member (via next month's Agenda)  
Wade A. Hyslop, Jr., Council Liaison (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)  
MWH America's, Inc. – Terry Tobel & Joseph Lanzafame  
Michael Tranchida, City Clerk (3 copies)