

City of Derby
Water Pollution Control Authority

September 21, 2016
Regular Meeting Minutes

Donald Demanuel, Chairman
Robert Miani
Rose Marie Pertoso
Kelly Curtis
Jack Walsh

2016 OCT 17 PM 3:56

The meeting was called to order at 6:30 p.m.

Roll Call: Present – Donald Demanuel, Robert Miani, Kelly Curtis, Jack Walsh, Rose Marie Pertoso.

Public Portion

Drew Perry, 27 John Street asked about the request he had made regarding a refund of sewer use fees he paid. Mr. Demanuel stated that he reviewed the situation with the corporation counsel and unfortunately only a refund up to three years can be provided. Mr. Drew asked about a waiver of the fee if he were to connect. Mr. Demanuel stated that the board does not have the authority to do that. He stated that he may be able to go to the Board of Aldermen regarding that.

Mr. Walsh moved to add to the agenda discussion and possible action Roosevelt Drive pump station. The motion was seconded by Mr. Demanuel and carried unanimously. Mr. Demanuel moved to add to the agenda discussion and possible action 75 ½ Grove Street. The motion was seconded by Mr. Walsh and carried unanimously.

Discussion and possible action 75 ½ Grove Street.

Richard Lindner was present and stated that the old building on the property is being removed and the sewer line goes out into the street through the neighbor's property. He stated that he is working there and could not find the water line. Lindsay King stated that currently there is no fee being charged for this property. Mr. Lindner stated that he is trying to correct the situation. He stated that it is a commercial building that will be used for detailing cars and he needs to put in a bathroom. Mr. Curtis asked if there were any utilities in the building. Mr. Lindner stated that it is a grey area and he cannot get in touch with the previous owner. Mr. Demanuel stated that the lines are in and connected and a bill would be based on the water usage. Mr. King stated that it would be at the commercial usage rate. Mr. Curtis stated that this could be a problem with the amount of water that they will be using and the water runoff needs to be collected. Mr. Demanuel stated that it is a question of water

consumption and where does that go; into drains or somewhere where it does not go into the system. If it is hooked up to the system will pay for water usage.

Roosevelt Drive Pump Station

Mr. Demanuel stated that there is the question of the environmental work at 113 Roosevelt Drive and what would have to be done if we want to purchase that property. Atty. Phillips stated that she received an e-mail from Weston & Sampson providing an analysis on the 113 parcel which was a basis for expenses. The proposal gave a reviewed budget of \$50,000.00 for remediation which they felt was the worse case scenario. She stated that a more detail report should be received on how this amount was arrived at or another opinion on this obtained. Chris Weston stated that it was based on volume and that contamination goes to the whole depth and soils that need to be disposed of. The soils would have to be removed and taken out of state. She stated that the EPC consent order stated that a proposal needs to be provided for the replacement pump station by November 1st. She was concerned that the City will not be able to achieve that deadline. She stated that it is important to determine what needs to be done to meet that date. She stated that in addition to the location for the pump station the designs need to be made and work with the consultants on how much time they need to prepare the proposal and get it to the DEP by November 1st. Atty. Phillips also stated that something needs to be submitted that the property is intended to be purchased. Mr. Walsh asked who negotiates to buy the land. Mr. Demanuel stated that he reached out to the corporation counsel and the attorney has a meeting with the property owner scheduled. Mr. Demanuel stated that the board needs to have everything they need to make the decision on this matter. Keith McLiverty recommended that the board have a list of everything that needs to be done regarding this property and an outline be made to go over at the meeting.

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Burtville Avenue Pump Station Discussion and Possible Action

Mr. Demanuel stated that the corporation counsel should have the contracts back to the board tomorrow. A meeting is scheduled to discuss this matter.

FOG Program discussion and action;

Mr. King stated that the response plan is due November 1s. Weston and Samson are reviewing the final copy of that plan. He stated that he met with them to go over the maintenance part of the order. The attorney asked if there are any time lines established. Mr. DeSimone stated that they are aware of the deadlines. Mr. King stated that he was concerned that we will have to send enforcement for non-compliance with the FOG order. The rate structure needs to be approved. Mr. Demanuel asked when the plan and recommendation be available for the board to review. Mr. King stated that it should be available at the next meeting. Mr. Curtis asked if the board has enforcement authority and Mr. DeSimone stated that it does.

DeCarlo and Doll Rt. 34

Mr. Demanuel stated that he reached out to them to see if they wanted to attend the meeting this evening and there has been no response from them.

Nitrogen credits

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Mr. King stated that in 2015 there was approximately \$5,000.00 in credits for selling nitrogen. This year it is not going that well and the City may have to pay nitrogen credits. He stated that they are looking at ways to enhance the process.

Engineers Report

Chris Weston submitted the report on flows at the pump station. He stated that with the Route 34 project there is an opportunity to add pipes and extend the force mains to get proper flows. He stated that there is a proposal to add new sanitary sewers in the area. Data has been added to the technical memo regarding flows and force main.

Approval of minutes June 20, 2016, July 20, 2016, August 17, 2016 and August 29, 2016.

Mr. Demanuel stated that regarding the June 20, 2016 minutes he would like to review the tape regarding the statement that he made which is on Page 3 of the minutes. A motion to approve the minutes of the June 20, 2016 with review of the third paragraph on Page 3 to make sure that it is correct was made by Mr. Demanuel, seconded by Ms. Pertoso and carried 3-2 with Mr. Curtis and Mr. Walsh abstaining.

Mr. Miani moved to approve the minutes of the July 20, 2016 meeting. The motion was seconded by Ms. Pertoso and carried 4-1 with Mr. Curtis abstaining.

Mr. Demanuel noted that in the August 29, 2016 minutes the deadline should be EPA and not DEP. He also noted that on the last page it stated that Keith McLiverty would put together the conference and that is being done by Mr. Demanuel. A motion to approve the minutes with the noted correction was made by Mr. Walsh, seconded by Ms. Pertoso and carried unanimously.

The August 17, 2016 minutes will be voted on at the next meeting.

Approval of Bills for August 19, 2016 – September 16, 2016 and bills over \$5,000.00 Pullman & Comley bills.

Mr. Curtis moved to approve the invoices for August 19, 2016 in the amount of \$136,992.24. The motion was seconded by Mr. Miani and carried unanimously.

Mr. Miani moved to approve the invoices for August 26, 2016 in the amount of \$86,435.66. The motion was seconded by Ms. Pertoso and carried unanimously.

Mr. Curtis moved to approve bills dated September 2, 2016 in the amount of \$74,257.59. The motion was seconded by Ms. Petroso and carried unanimously.'

Ms. Pertoso moved to approved bills dated September 16, 2016 in the amount of \$36,526.28. The motion was seconded by Mr. Miani and carried unanimously.

Mr. Walsh moved to approve Invoice #460210 from Weston and Sampson in the amount of \$6,340.06. The motion was seconded by Mr. Miani and carried unanimously.

Mr. Walsh moved to approve invoice #459303 from Weston and Sampson in the amount of \$6,056.82. The motion was seconded by Ms. Pertoso and carried unanimously.

The Servpro bill in he amount of \$7,802.14 for clean up of the backup at 220 Derby Avenue was deferred.

Mr. Walsh moved to approve the bill from JWC Environmental for the grinder replacement in the amount of \$27,411.20. the motion was seconded by Mr. Miani and carried unanimously.

Mr. Demanuel stated that all bond related bills will be tabled to get a break down from Finance.

Mr. Walsh moved to approve a bill from McManus dated 8/27/16 in the amount of \$16,200.00 for emergency repair work to South Division Street out of bond proceeds. The motion was seconded by Mr. Curtis and carried unanimously.

Mr. Walsh moved to pay the United Rental bill in the amount of \$2,080.75 out of bond proceeds. The motion was seconded by Mr. Miani and carried unanimously.

220 Derby Avenue discussion and action.

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Mr. King stated that the insurance company submitted more questions which he answered and he has not heard back if this will be covered. The property owner provided all the bills totaling \$32,101.69. Mr. Demanuel asked Mr. King to follow up on this and have corporation counsel draft an agreement with the owner.

125 Hawthorne Avenue and 139 Marshal Lane foreclosures

The properties were foreclosed and the title was transferred to the WPCA which will now be ttransferred to the City. M. Walsh moved that the title be transferred to the City and any amounts owed to the WPCA be reimbursed to them from the sale of the properties. The motion as seconded by Mr. Demanuel and carried unanimously.

Adjustments to 2016 bills.

Marcy McGuire stated that 35 Mt. Pleasant St. should be adjusted from \$1,718.06 to \$256.08. The house is vacant and the water is on but appears to have been over charged. Mr. Walsh moved to approve the adjustment. The motion was seconded by Ms. Pertoso and carried unanimously.

Marcy McGuire stated that regarding the Derby Housing Authority 2013 bill in the amount of \$16,746.61, the former owner had a balance that was never paid and the Housing Authority now owns the property. Mr. Demanuel suggested getting an opinion from corporation counsel and how this should be handled.

The property at 196 Derby Avenue was demolished and it has now been taken off billing. There was no action required on this. 350 Derby Avenue a ill from 2010-2015 in the amount of \$2,837.62; no action was taken. There was no action taken on New England Sheet Metal 2016 bill or Derby Feed bill.

Refunds Overpayments in 2015

Mr. Walsh moved to authorize refunds in the amount of \$356.14 for overpayments made in 2015. The motion was seconded by Mr. Miani and carried 4-1 with Mr. Demanuel abstaining.

168 Sunrise Hill Rd. Orange.

This property was never billed in 2014-2015. Marcy McGuire stated that a bill was never received from the Water Company. Mr. Demanuel recommended getting the calculation and come back with the amount of the bill. A flat fee bill would be in the amount of \$250.00. Mr. Curtis moved to authorize the billing. The motion was seconded by Mr. Walsh and carried unanimously.

Transfers

There were no transfers necessary.

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Elect Chairman

Ms. Pertoso moved to nominate Jack Walsh for Chairman. The motion was seconded by Mr. Curtis and carried 4-1 with Mr. Walsh abstaining.

A motion to adjourn was made by Mr. Walsh, seconded by Mr. Miani and carried unanimously. The meeting was adjourned at 9:30 p.m.

Respectfully submitted

Maryanne DeTullio