

**WATER POLLUTION CONTROL AUTHORITY  
REGULAR MEETING MINUTES OF MAY 18, 2010**

**Members Present:** John Konrad, Chair  
Bruce Allen  
Todd Rolland  
Bob Maynard  
Jim Williams (arrived 7:35p.m.)

**Members Absent:** Michael Longenbaker, alternate

**Others Present:** Jennifer Usher, PE, Town Engineer & Public Works Administrator  
Jason Hofmann, Water Planet  
Kurt Mailman, PE, Fuss & O'Neill  
Town Attorney, Richard Conti  
Linda Farmer, AICP, Director of Planning & Community Development  
Beverly Bellody, Director of Human Services  
John Carroll, Maintenance, Tolland High School  
Applicants and their representatives

1. **Call to Order.** John Konrad, Chair, called the meeting to order at 7:03p.m. in Council Chambers. He introduced the new Town Engineer Jennifer Usher.
2. **Update from Chair** – John Konrad said he spoke to Roger Lentocha, the resident who had a complaint about the amount being charged on his sewer usage bill. John Konrad said the rate would not be changed as the 1306 gallons per quarter for unmetered residences is consistent with Vernon's rate. They must charge these rates as part of their intermunicipal agreement with Vernon. He said Mr. Lentocha believes the rate being charged must mean that the WPCA is funding other town activities, and Mr. Lentocha is now considering putting in a meter. Mr. Konrad said he squared away with Mr. Lentocha that the rates are not to fund other activities, but the meter issue may be a problem because they don't yet have regulations for how to handle billing for this. He recommended sending Mr. Lentocha a letter asking him to keep the WPCA informed so they can work out the billing issue should he go to a meter.
3. **Public Comment:** None
4. **Public Hearing.** None
5. **Activities & Updates**
  - 5.1 Monthly Report from Water Planet. Jason Hofmann distributed Report #31. He said he talked with Blake Equipment, and Water and Waste to get quotes on pumps for the high school, and also ABS Pump in Meriden. He said ABS Pump is coming next week to give them a quote, after which he will send the information on to Kurt Mailman so he can make an educated decision. Kurt Mailman added that he did receive feedback on the Tsurumi cutter pumps, which were very favorable. He said Vernon has put in two pumps, and Cromwell has also used them. He said the MDC installed Tsurumi pumps in 2007

and based on their good performance record have put in ten more. These locations are using the pumps with 4” discharges as exists at Tolland High School. Kurt Mailman also said he looked at Vaughan chopper pumps. They were given glowing reviews by UConn, but they are significantly more expensive. He said based on the reference information provided and the cost information, he feels it would be worthwhile to try the Tsurumi pumps. He would, however, like to wait and see if the ABS price is any better.

Todd Rolland said he was surprised that there is such a large price difference between the Tsurumi and Vaughan pumps. Kurt Mailman said the Tsurumi pumps were originally built for difficult service. They are also manufactured overseas where labor is much cheaper.

Jason Hofmann brought in a small plastic container with the pieces and parts of metal that came out of the grinder. John Carroll, Maintenance Manager at the high school suggested they do not put up signs about what not to flush down toilets at the high school because it might tend to encourage the wrong behaviors. He said they have considered moving to a certified green seal toilet paper that might help with the clog issue, but the jury is still out if that will be a better choice. John Konrad explained that the tack they are taking is to replace the grinder with chopper pumps. Jason Hofmann said they think that something might have happened to the original grinder after construction and they needed to send it out to be rebuilt. It then needed to be rebuilt a second time. Kurt Mailman said he does not know if the rebuild of the original grinder/shredder was done the best, but there is no way they will ever know. He said he still has some apprehension about using the pumps with a 4” discharge size pipe and the length of the pipe, but the positive references he has received about them being used successfully with 4” pipes has helped to alleviate those concerns somewhat.

Jason Hofmann moved to a discussion about the Old Post Road and Gateway stations. He said they should remember that the \$5,000 price tag for just the floats and electrical work by United Concrete is for one station only. So they are looking at \$10,000+ to do both, since the same upgrades need to be done at both stations. He also said the replacement of the check valves was left out of the quote. He said he will email the quote to John Konrad when he gets it. There was consensus to operate the decision making on whether to go ahead with the work the same as they did last month.

5.2 Route 195 Sewer Project – Update on Bids submitted and award of Contract. Kurt Mailman passed out copies of the bid tabulation. Bids were received last Thursday and alternate methods were offered including A) an open cut method and B) a trenchless method. He also passed out a cost opinion which shows there is not enough money in the budget to construct the improvements. He said some of the soft costs bumped up the budget, and they are looking at ways to reduce some of those costs. They are hoping to get the Department of Transportation to back off on some of their requirements.

Kurt Mailman said they want to move quickly to get most of the job done by the time UConn students go back to school the third week of August. The goal is to minimize the contract length. He said the contract has an 8 percent contingency. Some items, such as the borings which cost \$10,000 have already been expended and do not come under the original contract budget.

John Konrad noted that they are looking at a shortfall of about \$340,000. He said they have the STEAP grant, which is \$200,000 and they have assessments booked at \$800,000. He added that cost reductions and one additional assessment should bring the shortfall down to around \$270,000. John Konrad said he has since learned that there is a sewer reserve fund for future capital costs with about \$600,000 which came from earlier assessments that they could tap into for the shortfall. He said the justification from drawing from this fund would be the favorable bids they have received at this point in time, and the fact that they will eventually need to hook up Anthony Road to the sewers and this will make it easier to do when that time comes. Also he noted that this project was originally going to be done as part of a developers' agreement and that it would be worth doing in the interest of economic development in town.

Todd Rolland/Bob Maynard motion to modify the agenda to include a discussion and vote on the use of the Sewer Reserve Fund for the 195 Sewer Project. Motion was unanimously approved.

Beverly Bellody noted that if they choose to delay this project, they don't know if the STEAP grant would be lost. She said the Town Manager is hoping the WPCA will put forward a motion to tap into that sewer reserve fund this evening, not to exceed \$300,000.

Bruce Allen asked why there appears to be some extreme differences in pricing in the bids. Kurt Mailman explained that contractors will put their money in different places in a contract as a strategy to bolster up front monies for seed money. He said it is not really equitable, but it does not leave the town in trouble because a bond has been pulled from the DOT for \$250,000 to ensure the work gets done. In this way the town's risk is minimized.

Kurt Mailman also said there are units in the contract that will be paid by unit prices. He said an escalation clause was requested for the price of liquid asphalt, and the DOT, not the Town, governs when the road can be final paved. However, he said he is fairly confident that the work will get done at the contract price. Kurt Mailman explained that the DOT added a last minute change in that they wanted superpave for the full depth of the road. He said his firm put that out in an addendum and the issue is not yet resolved. They will be discussing with DOT ways to minimize the overall pavement cost. Jim Williams asked what the cost difference is between regular and superpave. Kurt Mailman said they do not yet know.

Jennifer Usher said in their pre-meeting about this issue that Connecticut Water is looking to adding a water main in this area, and they may have the opportunity to look at sharing costs if the work is done at the same time.

Bruce Allen asked if they can use any of the money in the sewer reserve fund for repairs costs at the high school. Ms. Farmer said they should be able to use it for any capital expenditures related to sewers.

Jim Williams/Todd Rolland motion for the WPCA to endorse the awarding of the Route 195 sewer project contract to Hubble Construction, subject to a favorable bank reference. There was some discussion on the motion. Bruce Allen asked what would happen if the bank reference for Hubble Construction came back questionable. Kurt Mailman said that

preliminary indications are that the reference will come back fine, but if it did come back negative, there could be a need to call a special meeting to change the recommendation. He said that scenario is not anticipated. A vote was taken on the motion and it was unanimously approved.

John Konrad said assessments levied for this project go back to 2007 and they owe those property owners a letter of explanation. He noted that there was an earlier project where assessments were deferred until the property owners hooked up. Kurt Mailman said the reason was because the primary purpose of that original extension was to get the town and school buildings onto the sewer line.

## **6. Action Items**

6.1 Review and take action on Developers Agreement with Steve Tompkins regarding sewer extension off of Old Post Road. Town Attorney Richard Conti distributed copies of the Developer Permit Agreement. He said the town entered into a sales agreement with the Tompkins' contingent upon an agreement being brought to the WPCA. They would want to be reimbursed for a portion of their costs. Attorney Conti said the agreement envisions several possibilities based on who puts pipe in first and when (the Town or the Tompkins) and he reviewed the various scenarios.

Attorney Conti explained that if the Tompkins put in the sewer pipe and if by the time they go to construct houses, and the assessments become due, they would get reimbursed as a credit for any assessments on their remaining properties. If the town reimburses them, they would not be credited to the extent they were reimbursed. This contract would provide for multiple contingencies. He added that they do not yet have a sign off from the Tompkins because their lawyer, Attorney Jacobs, has not yet had the opportunity to review it with them. However, town staff has seen and approved the proposed agreement.

Bruce Allen said he thought there was a pump station that would be required in this project. Kurt Mailman explained that the HUD site would have a collection system with a centralized pump station on it that would be paid for by HUD. There will also be a low pressure sewer system with individual grinder pumps, but these two systems would not be interconnected. Linda Farmer said the pump station would not be the responsibility of the WPCA. Jim Williams confirmed that whoever goes first with construction would put in the pipes for both systems.

John Konrad asked if they don't end up doing the senior housing, would they then need a pump station to pump sewage up over the hill. Todd Rolland said they would not, as the low pressure system would do that. John Konrad said he thought the low pressure system exited below the peak of the hill. Kurt Mailman referred to a drawing of the proposed systems. He explained that semi-positive displacement pumps would handle the job.

There was also some discussion about whether the design of the pipe will be correctly sized as they don't know for certain how many dwelling units the Tompkins might build. Kurt Mailman said the design is figured for the maximum buildout so that it will be adequate. Linda Farmer said the Tomkins property is approved for 6,000 gpd. Richard Conti said they will have to construct the system according to the town's design.

It was understood that the WPCA cannot make a decision tonight because the Tompkins have not yet signed the agreement. The WPCA will also have the opportunity to review the design plan. Beverly Bellody said she will send out a copy of the RFQ to the Board which includes some maps and other helpful information.

6.2 Discuss request from owners of Belvedere Ridge on Old Post Road to remove the Age Restriction condition of sewer service approval. Linda Farmer provided some history of this area. She said there was about sixty acres on Old Post Road that was not in the sewer service area and was owned at the time by Richard Lee. She said he approached the Town Council some years ago when they were also acting as the WPCA, asking to be included in the sewer service area. They agreed and approved the property for 66 age-restricted units. The PZC approved the project. Now the owners are asking to remove the age restriction. Linda Farmer added that they don't have any guidelines in their regulations about how to go about this, but the engineer and one of the property owners are here to discuss this.

John Konrad asked why the development was made age-restricted in the first place. Linda Farmer said she believes that there was a general feeling that the sewer service area was intended for commercial development and that multi-family development was more in line with commercial development than straight single family home development. She said the issue of added school children and buses in the area was also a concern.

John Konrad asked if they should expect higher flows if the age-restriction was lifted as there would then be larger families. Mark Peterson, PE, of Gardner and Peterson, representing the owners, said they were approved for 9,000 gpd and are not asking for any increase. He said that if you visit the site at 601 Old Post Road, it is clear that development has stopped. He said there are many situations around the country as well as right next door in Ellington where developers are asking to lift the age restrictions. Only two units have been sold and the developers do not have the money to maintain the development. This is lost income for the developer and lost tax revenue for the town. Mark Peterson said he did some research and has found in 2006 to 2007 that the Village at Crystal Springs uses an average of 91gpd per two bedroom unit, and Elizabeth Lane in Vernon which has similar single family detached units averaged 90 gpd. He said if you use those numbers for their 66 units, then they would come in around 6,000 gpd, so even with three bedroom units, they would expect to have ample sewer capacity already there.

Linda Farmer said the process would require the WPCA to make a decision about whether or not to lift the age restriction. If they did so, then the owner would still need to go before the PZC with their request. They would need to open a Public Hearing on it. She also noted that if there is no age restriction in this development, then the developer would be required to provide at least 50 percent attached units.

Bruce Allen asked for the philosophy behind adding senior housing in one part of town while removing it elsewhere. Beverly Bellody explained that the HUD senior housing is low income apartments, while these would be market rate purchased dwellings.

Jim Williams said he doesn't feel their role is to decide whether this housing can be approved. Todd Rolland agreed, saying their concern should just be centered on the infrastructure. Jennifer Usher said that putting history aside, she feels this is a land use

issue that the PZC would need to deal with. She said she feels the WPCA's only concern here would be whether the development would keep within the 9,000 gpd that they have been previously allocated. Kurt Mailman said they should be aware that this parcel has been bifurcated with the southern portion of the property in the sewer service area and the northern portion of the property outside of it. He said the Office of Policy and Management will not approve a sewer service plan that encourages urban sprawl. However, in this case, the development would remain in the lower portion, so it is not an issue. Mr. Gurtill, one of the property owners, said the roads have all been built and all the improvements have been made with all 66 laterals out of the road, so they would not be building in any area that hasn't been already approved.

Mark Peterson said he sees plenty of capacity for multiple two- and three-bedroom dwellings. John Konrad asked who monitors usage to make sure they don't exceed their allocation. Linda Farmer said presently that type of thing is not being monitored, but the town wide review will be taking a look at sewer allocations overall.

Bruce Allen said he would want to see a general overview of what the project would entail. Jim Williams asked when the decision was made to allocate 9,000 gpd. Beverly Bellody said this decision was made by the Town Council when they were also acting as the WPCA. Linda Farmer said there are presently two age-restrictions on the property. One is for the sewer usage, and the second is a special permit site approval.

Jim Williams and Bruce Allen said they both would like Jennifer Usher to review the flow numbers that Gardner & Peterson had submitted to look out for the town's best interests. They will table any decision until more information is available. Mr. Gurtill said he cannot go forward without the WPCA's approval and that he had informally met with the PZC and they had suggested he first come before them with his request. Jim Williams said he would just want to see a map of the property and get a recommendation from staff.

John Konrad asked if the development ended up exceeding the 9,000 gpd, what would happen? Kurt Mailman said there is a provision that if an entity exceeds their allocation, then there could be the possibility for additional assessments. He said it has never been enacted or processed for any properties in town so far. This is derived on the understanding that allocation from Vernon is finite and if one entity is exceeding their allocation, then it would mean another entity would get less.

## **7. Other Agenda Items**

7.1 Discuss Workshop on Phase II Facilities Plan on June 15, 2010. Jim Williams put together a printout of the presentation which was passed out to members. A dry run of the presentation was done. John Konrad reviewed the handout indicating that they have a relatively inexperienced Board. He reviewed the history of the consent order, Phase I with expansions, and Phase II.

Beverly Bellody said they may want to include in this presentation that they applied for and got Clean Water Fund grants to help pay for the development of the Facilities Plan. Kurt Mailman also noted that the DEP has approved a portion of Phase I. The Board also agreed to add mention of the Tolland Village Area (Exit 68 Interchange) as part of the

Phase I expansions. Kurt Mailman also suggested they add into the information under Phase I that a presentation of the Executive Summary was given to the Town Council and PZC in the fall of 2008.

John Konrad said the last page of the presentation is an attempt to get some discussion going. Kurt Mailman raised some concerns about questioning whether constructed solutions are necessary. He said Rob Miller of the Eastern Highlands Health District has said that all septic systems have a finite lifetime. Additionally the DEP already has an understanding that the potential for pollution of the waters of the State do exist, and he feels the DEP won't react favorably to a plan that questions the need for constructed solutions. He said, however, that as their consultant he will support any decision they make.

Beverly Bellody asked what the repercussions could be if the DEP denied their Facilities Plan. Kurt Mailman said the consent order would not be lifted and they could possibly enact greater restrictions on the town.

Jennifer Usher said that because she is the new Town Engineer and also because the Board is fairly new, it might be good for her and Beverly Bellody to contact the DEP to introduce themselves and get a clearer understanding of the consent order and what they are looking for as they move forward. She said she would not expect to get the opportunity to talk to the DEP before the June 15 meeting, but feels it would still be worthwhile for all parties if they did meet.

7.2 Continue discussion of Pump out Ordinance and education program. This item was tabled.

7.3 Discuss review of sewer allocations and flow estimates. This item was tabled.

7.4 Discuss communication with school superintendent regarding high school grinder pump. John Carroll was sent to represent Tolland Schools and made comments during the Water Planet Report.

7.5 Discuss Budget and Capital Budget process. This item was tabled.

8. **Approval of Minutes** – Approve minutes of April 20, 2010 Regular Meeting. Bruce Allen/Jim Williams motion to approve the minutes with the recommended revisions provided by Kurt Mailman. (A copy of his recommendations is attached to these minutes.)
9. **Adjournment.** Jim Williams/Bruce Allen motion to adjourn the meeting and pay the clerk at 9:45p.m. Motion unanimously approved.

Respectfully submitted,

Annie Gentile  
Clerk