

DRAFT MINTUES OF THE BOARD OF WATER COMMISSIONERS

The regular meeting of the Board of Water Commissioners was held on Thursday, October 9, 2008, at the Department Offices, 605 West Queen Street, Southington, CT. A recording of this meeting can be found on file tape #535 and 536.

Present: President Stephen C. Pestillo, Vice President Thomas J. Murphy, Secretary and Treasurer John C. Dobbins, Commissioner Erik E. Semmel, Robert M. Berkmoes, Angelina Santa Maria, Superintendent Thomas R. West, Assistant Superintendent Frederick W. Rogers.

1. CALL TO ORDER

Meeting called to order at 6:01 p.m.

2. Approval of minutes of August 7, 2008 Board Meeting.

A Motion was made by Commissioner Murphy to approve the minutes from the meeting held on Thursday, September 4, 2008. The motion was seconded by Commissioner Dobbins, and passed unanimously.

3. Communications

a) Communications from the Public

- 1.** Superintendent Tom West informed the Board the Southington Fire Chief has written a letter in regards to an employee of the Water Department. While the parking lot at the Fire Headquarters was being repaved, Mr. Della Puca took the time to stop by and monitor the progress with respect to the water curb box located in the front of the building. He found that the water curb box had been damaged. Because of his sharp attention to detail, he saved the department additional expense and time had it gone undetected. The Board extended their thanks to Ed Della Puca for a job well done.

b) Communications from Administration

None

c) Communications from Board Members

None

4. Financial Matters

a) Review of Water Billing & Outstanding Jobbing Bills & Approval of Invoices

Commissioner Santa Maria asked what was done with the Superintendent's and Assistant Superintendent's vehicles after the new Honda Civics were purchased. Superintendent West informed the Board both vehicles were taken in trade by Manchester Honda when the new vehicles were purchased.

Commissioner Santa Maria asked about truck #1 service and how many orange trucks are left in the fleet. Superintendent West briefly explained what the trucks are used for in the field. The last two orange trucks in the fleet should be replaced in the next couple of years.

Commissioner Pestillo question the I-84 state road/highway jobs in town for which the Water Department is paying portion of the cost of materials based on its depreciated value. Superintendent West explained that even though this is the State's job the State will only pay for a portion of the cost of the infrastructure replaced based on its depreciated value and that the Water Department is responsible for all additional cost over the depreciated value of the infrastructure replaced and the difference of the new material cost installed.

Superintendent West informed the Board that they will not see any more invoices from Dick Moffitt because as of last month he informed Mr. Moffitt until further notice the Board will no longer require his services.

Outstanding Jobbing Bills

Commissioner Santa Maria asked about an outstanding jobbing bill on page two on the second line recognizing the account in question has been on the list over a year and was wondering if it could be leaned. Superintendent West explained it can't be leaned because it is not a property, however, if the Board decides it is worth pursuing we can file a lawsuit in small claims court or drop it all together.

A motion was made by Commissioner Santa Maria to approve invoices. The motion was seconded by Commissioner Berkmoes. The motion passed unanimously.

The Board decided to take New Business agenda items out of order.

7a. Proposed 13 lot subdivision located on Farmstead Road, "Sorbello Estates", by Milo Builders.

Assistant Superintendent Rogers presented the proposed plans to the Board and pointing out the water main location, hydrant locations and water service line locations; the plans as proposed meet the Water Department's specifications. Additionally, the back of the property borders Hart Street, as a result, the Department is requesting the developer loop the water main out to Hart Street and have the necessary utility easement put in place. Sue Milo of Milo Builders was present and

requested the Board wave the looping requirement based on the additional cost they would incur, or offset the cost by assuming a portion of the installation cost. Assistant Superintendent explained to the developer the Department requires looping for redundancy to serve the customers, water quality, and fire flow. The Board and the Superintendent reviewed other options and the Department's regulations. The additional cost for looping the main was reviewed. Commissioner Berkmoes informed Sue Milo this is a requirement of the Department and recommended to the Board the loop be required at the cost of developer. Superintendent West read the water main looping regulation out loud.

A motion was made by Commissioner Murphy to approve the Proposed 13 lot subdivision located on Farmstead Road, "Sorbello Estates", by Milo Builders with the loop of the water main to Hart Street as proposed. The motion was seconded by Commissioner Berkmoes. The motion passed unanimously.

7c. Proposed 6" fire and 1.5" Domestic Service for Rite Aid Pharmacy to be located at 500 Queen Street.

Assistant Superintendent Rogers described the location of the proposed site and pointed out the new service and fire service location. Inspector Casarella reviewed the plans and requested one additional hydrant be added at the north portion of the property for additional fire protection. The plans as presented meet the Department's specifications.

A motion was made by Commissioner Murphy to approve the proposed 6" fire and 1.5" Domestic Service for Rite Aid Pharmacy to be located at 500 Queen Street with the installation of an additional fire hydrant as requested by Inspector Casarella of the Southington Fire Department. The motion was seconded by Commissioner Berkmoes. The motion passed unanimously.

7b. Proposed renovations to Plantsville Elementary School located at 70 Church Street.

Assistant Superintendent Rogers gave a brief description of the new water main, and water service location and explained how the water main will be looped out to church Street. There are many hydrants in the area all within the Department's required distance, furthermore, Inspector Casarella has reviewed the fire service and hydrant locations and has approved these plans.

A motion was made by Commissioner Berkmoes to approve the proposed renovations to Plantsville Elementary School located at 70 Church Street. The motion was seconded by Commissioner Murphy the motion passed unanimously.

5.) Committee Report

a) Executive Committee

None

b) Infrastructure Committee

Assistant Superintendent informed the Board Birm 1 Construction will be back in Town on Monday October 12, to start the culvert crossing, make to tie in to Briarwood College and start final paving on Welch Road. Birm 1 had to hold off on much of this work last month because of heavy rain events and needed to wait for the water level in the stream to subside before they could attempt the culvert crossing.

Assistant Superintendent Rogers informed the Board that he had the Department's construction crew dug up a Waterous valve on Mill Street to inspect the bolts on the assembly. This work was performed based on the failure of a Waterous valve on Queen Street in the fall of 2007. Upon the excavation and repair of the valve on queen Street it was determined the bolts holding the bonnet in place were not made of stainless steel, but of galvanized steel that corroded, and as a result, caused the failure of the valve. The exploratory excavation on Mill Street was performed to inspect the bolts and rebuild the valve if needed, and to assess the possibility of there being more valves in the system with the potential to fail. The valve on Mill Street was found to be assembled with stainless steel bolts.

The Distribution crew excavated a hydrant on South Main Street today that according to the Department's records/mapping was connected to an old 1880's 4" water main. The goal was to disconnect the hydrant from the old 4" water main and reconnect it to the 6" main located 8'-10' away. Upon exposing the hydrant branch it was discovered that the hydrant was already connected to the 6" water main.

c) Wellhead Protection Phase 2

Robert Mellstrom of Stantec Engineering gave a progress report describing the clearing and excavation of the area and referencing sub grades and fabrics that will be applied. To date soil remediation is not complete because the contractor is waiting for approval of additional disposal cost from the Board because the levels of contaminants in the soil will require it to be trucked to a disposal site in Maine. The Water main trench has been excavated to the depth required for fabric to be placed and the water main installation is about 2/3 complete. An additional valve has been installed on High Street which is an addition to the scope of work. The water main tie in to Mill Street is scheduled for Tuesday October 14th. To date there have not been any electrical or gas utilities constructed on the site. The planting corridors are complete and the engineered control in the area other than the corridors has not yet been installed. Some material on site associated with an oil spill has not been moved yet. The internal TV inspection of the twin 36" storm drain lines has been done and the slip lining of these pipes is scheduled to begin within three weeks. We are still waiting for more results of soil samples taking on site. There is a revised schedule available from Standard Demolition and will be provided shortly. Commissioner Murphy asked when the work on the

well house would be completed. Superintendent West referenced the schedule and stated the well house work will begin in November. Mr. Mellstrom provided a list of items that were deleted from the contract, but requested the Board considered adding some of these items back in, such as, paving for the well house and landscaping trees which should be done this fall. The ornamental fencing was discussed and the sites entire landscaping plan was reviewed.

Mr. Mellstrom presented change order #2 from Standard Demolition to abandon the vertical pipes that were found onsite which was tentatively approved by Superintendent West. Pay request #3 which includes August and September will be reviewed by Mr. Mellstrom and all quantities have been agreed on for a value of approximately \$290,000.

There is a Change order request from Standard Demolition for additional cost to dispose of soil with higher then anticipated levels of arsenic. Standard Demolition's claim is that there are no land fills in Massachusetts or Connecticut that will except soil with arsenic elevations higher than 40 ppb. As a result, they have found a land fill in Maine that will accept the soils. Standard Demolition is asking for \$124.00 per ton for disposal at this facility instead of the approximate \$82.00 per cubic yard in the contract. The additional cost is approximately \$6,000-\$7,000. Excavated soils are bid on a unit price within the contract. The soil contamination levels were available to the contractor before the project was bid, so his argument for additional cost based on the contaminant levels is not supported. The Board reviewed the cost and understands the impact to the cost do to the additional travel required for disposal. There was some discussion regarding per ton cost and how much soil is estimated to be on site. The Board disagreed with the reasoning behind the change order but also understands the additional cost and is willing to work with Standard Demolition on this issue.

Executive Session Anticipated for Personnel and Negotiation Matters

A motion was made by Commissioner Dobbins and to move to executive session barring all public and press but to include Superintendent West and Assistant Superintendent Rogers, Attorney Jennifer Jannelle of Shipman & Goodwin. Commissioner Berkmoes seconded the motion and the motion passed unanimously.

The board entered executive session at 7:39 p.m.

The board reconvened into regular session at 9:37 p.m.

Continuation of Well Head Protection Phase

Commissioner Dobbins made a motion to add the bituminous paving for the well house back into the contract for \$22,000. Commissioner Murphy seconded the motion and it passed unanimously.

Commissioner Berkmoes made a motion to delete Standard Demolition's line item 2b form the schedule of values in the contract deducting \$43,030 and add in \$124.00 per ton cost for disposing remediated soil.

Technology Committee

President Pestillo reported that the committee did not meet last month regarding web site design. Superintendent West will look into other web site design options.

Old Business

State Funding

There are two sources of State Funding that are being monitored:

DWSRF Full Loan Application

Standard Demolition will likely complete the environmental remediation of 65 High Street this construction season. They will continue to work on the site as long as weather permits, which likely will be the end of the calendar year.

Urban Act Application

Senator Caligiuri continues to monitor the situation with the Governor's Office. A State Bond Commission meeting is tentatively scheduled for either October 24th or 31st. A final determination of placement on the October agenda will take place by the 17th of this month, if the meeting occurs. We are cautiously hopeful SWD's Urban Action Application will be placed on the agenda. Close contact with state officials is being maintained.

Federal Funding

Very little activity has taken place in the last month on funding any of the components of the federal budget as Congress has been consumed with the National Financial Crisis. The Defense budget of \$685 billion was passed. The Congress did go into recess in early October to allow members to campaign before the November 4th election. No one is making any commitments on STAG or WRDA funding. However 2 scenarios are likely to take place. If Senator McCain is elected, the congress is likely to try and pass a budget with STAG and WRDA in it along with 2 programs President Bush would like to see funded. If Senator Obama is elected they will work with a Continuing Resolution until he is sworn into office. Then in early February they will pass a 2009 budget with funding for both programs. Because of the on going financial crisis and the funding of the war, the budget for each program will be limited. SWD will likely see some funding for each program this FY.

New Business

d.) Proposed 2" irrigation service for Applegate Condominiums located at 90 Applegate Road.

Assistant Superintendent Rogers presented plans for Applegate Condominiums which was previously approved by the Board with an additional irrigation plan that showed the location for a proposed hot box where a meter and backflow preventer will be

installed. This will separate the irrigation system from the domestic water service which is currently feeding the irrigation system through a meter in one of the condos. The proposed plan meets the Department's specifications.

Commissioner Dobbin made a motion to approve the proposed 2" irrigation service for Applegate Condominiums located at 90 Applegate Road. Commissioner Berkmoes seconded the motion and it passed unanimously.

7e) Proposed conversion of Service Station to Convenience Store Located at 802 West Street by Rima Parth, LLC.

Assistant Superintendent Rogers presented plans for the proposed conversion of the existing service station to a convenience store. The service location was presented, and hydrant locations were discussed. Assistant Superintendent informed the Board that the proposed service meets the Department's specification and the plans have been reviewed and approved by Inspector Casarella of the Southington Fire Department.

Commissioner Santa Maria made a motion to approve the proposed conversion of Service Station to Convenience Store Located at 802 West Street by Rima Parth, LLC as presented. The motion was seconded by Commissioner Berkmoes and the motion passed unanimously.

7f) Proposed Mill Street Cellular Lease.

Superintendent West presented the terms of the lease and will forward a copy to the Department's attorney for review. Superintendent West also has plans showing how the Cellular Company's equipment will be attached to the tank. These plans have been forwarded to the Department's tank inspection engineer for his review to confirm there will not be any structural issues regarding the way the equipment is attached to the tank. The Cellular Company is also required to perform a structural analysis as part of the contract.

No motion is required at this time. The Board gave the Superintendent direction to have the contract review by the Department's attorney.

7g) New State law on minutes and web sites.

Superintendent West informed the Board a new State law went into effect on October 1, 2008 that requires municipalities who have a web site to post meeting minutes within seven days of Town/Department meetings. A copy of the Water Department Board meeting minutes will be marked draft then scanned and forwarded to Leslie Cotton (Town Clerk) within seven days.

7h) Federal Trade Commission, new "Red Flag" Rule.

Superintendent West explained the Federal Trade Commission's (FTC) new "Red Flag" rule to the Board. This rule was somewhat overlooked as to its impact on Water Utilities until the last few months. AWWA has started an educational campaign and Superintendent West viewed a webinar on the subject this week. This rule requires that we monitor customer accounts for signs of identity theft. The Department will need to put a program in place and periodically update the program. The Department also needs to put personnel in charge of the program. AWWA has also created a template of a program for Water Utilities to use, and the Superintendent will base the Water Department's program on this sample program. The Board will need to formally act on the program to put it in place.

The FTC does not intend to audit programs unless there is a consumer complaint of identity theft stemming from Water Department consumer account information. Superintendent West will provide an update to the Board and a proposed "Red Flag" program prior to the next Board meeting.

Commissioner Dobbins made a motion to adjourn the meeting, seconded by Commissioner Berkmoes. The motion was unanimously approved.

The meeting adjourned at 10:21 p.m.

Attest: _____
John C. Dobbins, Secretary & Treasurer