

MINUTES OF THE BOARD OF WATER COMMISSIONERS

The regular meeting of the Board of Water Commissioners was held on Thursday, October 8, 2009 at the department offices, 605 West Queen Street, Southington, CT. A recording of this meeting can be found on file tape #553.

PRESENT: President Stephen Pestillo, Vice President Thomas Murphy, Secretary/Treasurer John Dobbins, Commissioner Angelina Santa Maria, Commissioner Erik Semmel, Assistant Superintendent Frederick Rogers, Superintendent Thomas West and stenographer, Janice Eisenhauer.

1. CALL TO ORDER

The meeting was called to order at 6:07PM by President Stephen Pestillo.

2. Approval of Minutes of September 10, 2009.

A motion was made by Commissioner Thomas Murphy to approve the minutes as presented. Commissioner Dobbins seconded his motion and added that he wished to commend the stenographer on her work. All agreed with his kind comments. The motion was passed on a voice vote.

3. Communications

a.) Communications from the Public

Superintendent West read a letter of gratitude from Kelly Berkmoes acknowledging the Board's contribution to the STEPS picnic.

b.) Communications from the Administration

None.

c.) Communications from Board Members

Commissioner Dobbins spoke about recent pharmacy meetings he has attended. Four medication recovery programs were reportedly planned as a direct result of the Southington Water Board's environmental project. He recently spoke with a pharmacist in the Hebron area who asked for his experienced input in order to introduce this program for his region. Assistant Superintendent Rogers noted that there is a waterworks environmental conference scheduled for February and he expects to have an opportunity to present the medication recovery program there. Dobbins reported that Lt. Shanley, of the Southington Police Department, who served as law enforcement officer, is preparing a report on the dollar street value of the drugs returned at the Southington Water Company's Medication Recovery effort in April, 2009.

Commissioner Santa Maria spoke about recent negativity surrounding the Board of Water Commissioners. She noted that working on this commission she has become more appreciative of the work and responsibility of this board and the Water Department. She noted several civic projects undertaken on a volunteer basis by this group and commented on the obvious unquestionable integrity she has found here. Superintendent West took the opportunity to ask about the upcoming holiday toy drive. It will be on the agenda for the next meeting.

4. Financial Matters

a.) Review of Water Billings & Outstanding Jobbing Bills & Approval of Invoices

Superintendent West reported that billings are behind last year's numbers, largely due to the wet weather. He discussed other items on the proposed invoices for payment. He suggests that for the present the Board might be wise to schedule expenditures prudently, although he does not foresee a cause for financial alarm. Other water boards in the area are experiencing similar difficulties, some reporting worse straits requiring cutting back on staff. He explained payments to Standard Demolition, some to be reimbursed with grant funds. With all questions from commissioners answered, Commissioner Murphy made a motion to pay all invoices as scheduled. Commissioner Semmel seconded his motion and it passed on a voice vote.

5. Committee Reports

a.) Executive Committee

None.

b.) Infrastructure Committee

Superintendent West reported on the continuing engineering projects: West St., West Center, and the Mariondale tank design. Assistant Superintendent Rogers reported on the completed Marion Rd project and his satisfaction with it.

c.) Wellhead Protection Phase 2

There is no water yet and there is still some electrical work to be done. Superintendent West reports that the contractors are working on a punch list and he anticipates about two weeks to time of completion. There was some discussion about the street lighting at the site. Ultimately there will be two lights at the gate and two security lamps, necessary for protection of the public water supply.

Final invitation list and arrangements for the October 23 dedication were discussed. Following the 11:00AM ceremony at the wellhead, lunch will be served at the water company offices. The commemorative plaque will be in place. There was also a discussion about adding a security gate to be used by staff to access the property. Several people have commented on the pleasant aesthetics of the project.

d.) Technology Committee

None.

6. OLD BUSINESS

a.) Update on Federal Grants, State Grants and SRF Loans

Superintendent West questioned the board about what their pleasure is in regard to the Ferguson Group, going forward. It was decided to address this during Executive Session.

b.) Cost Savings Initiative

A new line has been added. Cell phones will change to Verizon service soon with resultant substantial cost savings. The landline telephone service will not change. There was some discussion about pager service.

c.) Update on Watershed Sedimentation Issues

Assistant Superintendent Rogers reported on sedimentation emanating from reservoir #3 in Wolcott following recent extremely heavy rain. There were some turbidity spikes and Bill Cassarella, Chief Treatment Operator, switched to reservoir #2 to avoid the additional expense of treating the dirty water. Rogers and Cassarella did go to Wolcott and inspect the reservoir. It is obvious that there is a serious problem with sheet flow, rutting and scouring of the property, the debris descending the adjacent hill and flowing directly into the reservoir. They held a meeting with Wolcott officials, who did install some stonework, a beginning effort to alleviate the problem. Rogers explained the situation in some detail and the need for extensive remediation. Wolcott's mayor, the highway department and Southington Water Co staff met at the site, with two DEP representatives, Dave LaValle from Southington Planning and Inland Wetlands representatives from Wolcott. The DEP officials indicated they felt an issue was runoff from the golf course. Rogers has met with Woodward & Curran and walked the terrain with their environmental civil engineer to assess the situation for purposes of making some determination about the projected cost to remedy the situation. Since the golf course has drainage that runs into a reservoir, the DEP should be able to provide

substantial expertise. There was an interactive discussion about Wolcott's liability. Rogers will continue to report on this.

d.) Update on Stream Flow Regulations

Superintendent West reported on pending DEP legislation which will affect many water companies, severely limiting the use of wells feeding from small streams. This would be devastating to Southington Water Department's available water supply. West feels that there would be no alternative but to vigorously oppose the enactment of this statute. He anticipates that surrounding water companies will agree. As President of CWWA he is in a position to watch this closely. He has been consulting with Representative Sam Caligiuri. West is optimistic that the proposed severe restriction on the use of water necessary for adequate public supply will not pass into law.

7. NEW BUSINESS

a.) 2010 Meeting Schedule

Superintendent West presented the projected meeting schedule for 2010 to be filed with the Town Clerk. Commissioner Santa Maria noted that the November meeting falls on Veteran's Day. This will be voted on at the next meeting.

b.) West Queen Street Tank 2 Paint bid, Contract 2009-W1.

Superintendent West presented three bids for the painting of the West Queen Street tank, a complicated and exacting job. After some discussion, Commissioner Murphy made a motion to award the work to the lowest bidder, R.M. Lill, Inc in the amount of \$114,870. Commissioner Dobbins seconded the motion and it passed on a voice vote.

c.) Biodiesel 1 - Location of Fire Service

Superintendent West presented the plot plan for Biodiesel 1 on West Center St. Water lines had been approved for this project for a domestic service and for a fire (sprinkler) service in the building. The work was completed in 2007. The fire service enters the property at the rear of the building. The Southington Water Co recently received a letter from the town stating that a tank had been installed on the property directly above the fire service line. The property owner was notified that this installation did not conform to Water Company regulations.

Karl Radune spoke for Biodiesel 1. He presented photographs of the tank and substantial concrete pad in question. He explained in great detail how this situation occurred. He spoke of the myriad permits that were required from the town and from

the state in order to launch this environmental business. He was under the impression that the permit to place this concrete pad was included in the permit secured from the fire department. When the CO was granted, this pad and tank were in place. Commissioner Murphy questioned him about the approval given by the fire department and about exactly where the fire service lines are placed. Murphy explained that this placement is contrary to the Water Board's rules and regulations, specifically that no permanent structure be erected over a utility. He recognized the expense of buying and installing the tank and suggested that the only answer would be to relocate the sprinkler line. The options were discussed at some length. Several commissioners had questions for Mr. Radune. Superintendent West explained that the problem is that if the sprinkler line breaks, it can't be reached because of the structure covering it, and the other is maintenance of the water line in the future. The legal implications and worst-case scenarios of the situation were discussed. There is also a 100-year flood plain issue, being addressed by Planning and Zoning and the Inland Wetlands Commissions. Commissioner Semmel expressed an interest in finding a pragmatic solution. The landowners have expended considerable funds to start a green energy business. They were shut down after being in production a few weeks in July. The system is operational. They feel they should be employing 20 people by this time and are stalled while they watch their private funds diminish. Semmel wonders if an agreement could be drafted, and placed on the land records, to allow Biodiesel 1 to begin production, but set a reasonable time frame for moving either the tank or the fire service line. Commissioner Santa Maria would support this suggestion. She feels that it is imperative that this be remedied within a set period of time. She noted the value of having a business in Southington with the capacity to employ 20 people be allowed to move forward. She wonders if an additional fire service plan on the property would alleviate the problem. Assistant Superintendent Rogers explained that if the water company knew about this, a sleeve could have been applied to the water line to make it easier to access in the case of a problem. Commissioner Murphy pointed out the value of hiring an attorney for anyone who purchases real estate or enters into a venture such as this. He stated that although there is obviously an error in judgment here, the water company has performed its work without fail. Commissioner Dobbins raised the question of whether this is a zoning problem, and not a water company problem, since the water company installed the fire service in question in 2007 and the work was approved by the Water Board. Further structural additions to the property should be the purview of the town. Commissioner Semmel did feel that private citizens should be able to approach town commissions and taxpayer supported staff for necessary permits and they should be able to expect and receive competent advice and instruction throughout the process, without an attorney. President Pestillo

asked Superintendent West to discuss this with the Water Company's attorney and report back to the board.

8. Executive Session Anticipated for Personnel and Negotiation

Commissioner Dobbins made a motion to adjourn to Executive Session, barring the public and press, but including the Superintendent and Assistant Superintendent to discuss negotiation and personnel matters. His motion was seconded by Commissioner Semmel. All were in favor by voice vote.

The Board entered executive session at 8:03 PM

The Board Left Executive Session at 10:06 PM.

Commissioner Semmel made a motion to adjourn the meeting. Commissioner Murphy seconded the motion and it passed unanimously.

The meeting adjourned at 10:10 PM.

Attest:



Robert M. Berkmoes, Secretary & Treasurer